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THE
JOURNAL OF THE HOUSE

DURING

THE SPECIAL SESSION

BEGUN AND HELD DECEMBER

1865.



SALEM, OREGON.
HENRY L. PITTOCK, STATE PRINTER.
1866

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JOURNAL OF THE HOUSE.

TUESDAY, December 5, 1865.

The house of representatives of the third legislative assembly of the state of Oregon, convened at Salem this day, at 10 o'clock, A M, and was called to order by Mr I. R. Moores, of Marion county, speaker.

The roll was called, with the following result:

Baker County—Absent: Samuel Colt. Present: Daniel Chaplin.

Benton—Present: J. Q. Thornton and James Gingles.

Coos and Curry—Absent: Isaiah Hacker.

Clatsop, Columbia and Tillamook—Present: P. W. Gillette.

Clackamas—Present: E. T. T. Fisher. Absent: H. W. Shipley and Owen Wade.

Douglas—Present: E. W. Otey and P. C. Parker. Absent: A. Ireland.

Jackson—Present: Jas. D. Fay and T. F. Beall. Absent: Wm. F. Songer.

Josephine—Present: Isaac Cox.

Lane—Present: G. Callison, J. B. Underwood and A. McCornack.

Linn—Present: Robert Glass, J. W. Perkins, J. P. Tate and H. A. McCartney.

Marion—Present: I. R. Moores, (Mr. Speaker) J. C. Cartwright, J. J. Murphy and H. L. Turner.

Multnomah—Present: P. Wasserman, L. H. Wakefield and Jno. Powell.

Polk—Present: Jas. S. Holman. Absent: C. Lafollette.

Umatilla—Present: L. F. Lane.

Wasco—Absent: A. J. Borland.

...

Washington—Present: W. Bowlby and D. O. Quick.

Yamhill—Present: Geo. W. Lawson. Absent: H. Warren.

Mr. Gillette moved that the speaker appoint a committee of five on credentials, which motion was carried, and the chair appointed on said committee, Messrs. Gillette, Bowlby, Wakefield, Tate and Fay.

On motion of Mr Underwood, the following resolution was adopted.

HOUSE RESOLUTION, No. I.

Resolved, That the secretary of state be requested to furnish the house with the usual stationery for the use of the members.

On motion,

The house adjourned till 2:30 o'clock P M.

AFTERNOON SESSION.

The house met pursuant to adjournment. Absent: Messrs. Borland, Hacker, Ireland, Lafollette, Shipley, Songer, Thornton, Wade, Wakefield, Wasserman and Warren—11.

A committee of three members of the senate were introduced, and by their chairman, Mr. Palmer, informed the house that the senate was organized and ready to proceed to business.

Mr. Gillette, from the committee on credentials submitted the following:

REPORT.

MR. SPEAKER—Your committee on credentials beg leave to report the following named gentlemen as entitled to seats in the house of representatives:

Clackamas County—Arthur Warner, to fill the vacancy occasioned by the resignation of Owen Wade.

Polk County—Isaac Smith, to fill the vacancy occasioned by the resignation of C. Lafollette.

Yamhill County—J. M. Peirce, to fill the vacancy occasioned by the resignation of Henry Warren.

Your committee ask leave to sit until to-morrow, for the further consideration of the claims of W. H. Gates of Wasco county.

P. W. GILLETTE,

Chairman Com. on Credentials.

On motion of Mr. Wakefield,

Hon. S. E. May, secretary of state, was invited to administer the oath of office to the new members entitled to seats in this

body, as shown by the preceding report of the committee on credentials.

Messrs. Warner, Smith and Peirce came forward, were duly sworn by the secretary of state, and took their seats.

On motion of Mr. Quick,

The offices of assistant clerk, enrolling clerk and engrossing clerk were declared vacant, in consequence of the absence of said officers.

On motion of Mr. Underwood,

The house proceeded to fill the vacancies in the offices of assistant clerk, enrolling and engrossing clerks.

For assistant clerk, Mr. Quick nominated Wm. M. Turner; Mr. McCornack nominated J. J. Henderson.

The yeas and nays being called, resulted as follows:

Those voting for Mr. Turner, were, Messrs. Beall, Chaplin, Cox, Fay, Fisher, Gingles, Holman, Lawson, Otey, Peirce, Powell, Perkins, Quick, Smith, Wakefield, Warner and Mr. Speaker—17.

Those voting for Mr. Henderson, were: Messrs. Bowlby, Callison, Cartwright, Gillette, Glass, Lane, McCornack, McCartney, - Murphy, Parker, Tate, Turner, Thornton and Underwood—14.

Mr. Turner, having received a majority of all the votes cast, was declared duly elected.

Messrs. C. B. Rowland, Wm. Howell and S. T. Church were put in nomination for enrolling clerk.

Those voting for Mr. Rowland, were Messrs. Bowlby, Cartwright, Gillette, Holman, Murphy, Quick, Smith, Turner, Thornton, Underwood and Mr. Speaker—11.

For Mr. Howell: Beall, Cox, Fay, Lane, Lawson and Peirce—6.

For Mr. Church: Messrs. Callison, Chaplin, Fisher, Glass, Gingles, McCornack, McCartney, Otey, Parker, Powell, Perkins, Tate, Wakefield and Warner—14.

So there was no election.

The vote being again taken, resulted as follows:

For Mr. Rowland: Messrs. Cartwright, Gillette, Holman, Lane, Murphy, Smith, Turner, Thornton, Underwood and Mr. Speaker—10.

For Mr. Howell: Messrs. Beall, Cox, Lawson and Peirce—4.

For Mr. Church: Messrs. Bowlby, Callison, Chaplin, Fisher, Glass, Gingles, McCornack, McCartney, Otey, Parker, Powell, Perkins, Quick, Tate, Wakefield and Warner—16.

So, Mr. Church, having received a majority of all the votes cast, was declared duly elected enrolling clerk.

For engrossing clerk, J. Boswell, F. N. Wadsworth and Wm. Howell were put in nomination.

Those voting for Mr. Boswell were: Messrs. Cartwright, Murphy, Turner, Thornton and Mr. Speaker—5.

For Mr. Wadsworth: Messrs. Beall, Bowlby, Callison, Chaplin, Fisher Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Underwood, Wakefield and Warner—24.

For Mr. Howell: Messrs. Cox and Fay—2.

So, Mr. Wadsworth, having received a majority of all the votes cast, was declared duly elected engrossing clerk.

The oath of office was duly administered to Messrs. Turner and Church, by the secretary of state.

Mr. Speaker announced that the standing committees would remain as they were organized at the last session of this legislature, with the exception that the new members should take their places on the several committees instead of the members whose places they were elected to fill.

Then the standing committees of the house are as follows:

STANDING COMMITTEES.

On Elections—Messrs. Ireland, Glass and Songer.

On Ways and Means—Messrs. Colt, Wakefield and Bowlby.

On Education—Messrs. Thornton, Quick and Hacker.

On Judiciary—Messrs. Underwood, Thornton, Cartwright, Lawson and Fay.

On Claims—Messrs. Bowlby, Chaplin and Parker.

On Military Affairs—Messrs. Wasserman, Gillette and Smith.

On Roads and Highways—Messrs. Holman, Gingles and Turner.

On Engrossed Bills—Messrs. Tate, Fisher and Lane.

On Enrolled Bills—Messrs. Warner, Peirce and Perkins.

On Indian Affairs—Messrs. Callison and Cox.

On Printing—Messrs. Lawson, Murphy and McCartney.

On Corporations—Messrs. Cartwright, Powell and Shipley.

On Commerce—Messrs. Gillette, Wakefield and Hacker.

On Counties—Messrs. Otey, McCornack and Beall.

On motion,

The clerk was instructed to inform the senate that the house is organized, and ready to proceed to business.

Mr. Wakefield offered the following resolution:

HOUSE JOINT RESOLUTION, No. 1.

Resolved, That a committee of three, on the part of the house, and a like number on the part of the senate, be appointed to wait upon his excellency, the governor, and inform him that both houses are now organized, and ready to receive any communication which he may see fit to make.

Ayes—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—31.

Nays—None.

So the resolution was adopted.

The chair appointed on said committee, Messrs. Bowlby, Underwood and Thornton.

On motion of Mr. Underwood,

The secretary of state was requested to furnish the members of this house, the senate and house journals of the last session of the legislative assembly.

Mr. Powell offered the following resolution :

HOUSE RESOLUTION, NO. 2.

Resolved, That the sergeant-at-arms be instructed to procure for the use of the members, such newspapers, published in this state, as the members may desire, not to exceed two for each member; and that the secretary of state be authorized to draw warrants defraying the expense of the same.

Which resolution was adopted.

The following communication was received from the governor:

COMMUNICATION FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }
Salem, December 5, 1865. }

Gentlemen of the Committee from the House:

I have the honor to inform you that I am prepared to make the communication required by the fifth article of the constitution, as soon as it shall suit your convenience to receive the same.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,
Governor of Oregon.

On motion, it was

Resolved, That the senate be invited to meet the house

in joint convention, for the purpose of receiving the governor's message, at 3:30 o'clock, instant.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER—I am directed by the president to inform you that the senate has concurred with the house in the passage of H. J. R., No. 1, in regard to the appointment of a committee to wait on his excellency the governor, and have appointed Messrs. Cranston, Pyle and Grim said committee on part of senate.

J. C. PEEBLES,
Clerk Senate.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER—I am directed by the president to inform you that the senate accepts the invitation of the house to meet at instant, for the purpose of receiving a communication from his excellency the governor.

J. C. PEEBLES,
Chief Clerk.

JOINT CONVENTION.

The senate and house of representatives met in joint convention in the hall of the house.

On motion of Mr. Bowlby,

A committee of three was appointed to wait upon the governor and inform him that the senate and house were in joint convention, and ready to receive any communication he might see fit to make.

The following gentlemen were appointed said committee: Bowlby, Christman and Tate.

The message and accompanying documents were presented by the governor, and the message read by his excellency in person.

On motion,

The joint convention adjourned *sine die*.

The house was called to order, and Mr. Underwood offered the following resolution.

HOUSE JOINT RESOLUTION, NO. 2.

Whereas, The legislature of this state at its last session, passed a law authorizing the governor of the state to have his message

printed for the use of the legislature, prior to the meeting of the legislature; and

Whereas, The governor had printed, by the state printer, in accordance with such law, five hundred copies of this message and accompanying documents this day submitted; therefore

Be it resolved by the House, the Senate concurring, That the five hundred copies printed be accepted from the state printer, for the use of the members of the senate and house of representatives.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—None.

So the resolution was adopted.

The following message was received from the secretary of state:

MESSAGE FROM THE SECRETARY OF STATE.

To the honorable, the House of Representatives of the State of Oregon.

I have the honor to acknowledge the receipt of a communication from your chief clerk, requesting me to furnish to each member, the senate and house journals of the last session of the legislative assembly. Should I respond affirmatively, the addition would be so exhausted that the next regular session could not be supplied.

Respectfully requesting that you so modify your demand as to require only one for each desk, I remain

Your obedient servant,

SAMUEL E. MAY,

Secretary of State.

SALEM, Dec. 5, 1865.

On motion,

The house adjourned till 10 o'clock, to-morrow.

WEDNESDAY, December 6, 1865.

* The house met at 10 o'clock, A. M.

Absent: Messrs. Bowlby, Colt, Fay, Gillette, Hacker, Ireland, Shipley, Songer and Tate.

Prayer by Rev. Mr. Boyakin,

The journal of yesterday was read, corrected and approved.

Mr. Lane presented a petition from James R. Wilson and 70 others, citizens of Umatilla county, praying for a repeal of the charter of Umatilla City, which was referred to a select committee, consisting of Messrs. Lane, Underwood and Wassorman.

Mr. Lane gave the following notice:

NOTICE.

MR. SPEAKER—I herewith give notice of my intention to introduce on to-morrow or some subsequent day, a bill to amend an act relating to the assessment and collection of taxes, passed January 27, 1854.

Also, a bill to amend section 653 of an act entitled an act to provide a code of criminal procedure, and to define crimes and their punishment.

Mr. Underwood offered,

H. J. R., No. 3, relative to amendment of the constitution of the United States; which was made the special order of the day for 2 o'clock this afternoon.

On motion of Mr. Quick, the following resolution was adopted:

RESOLUTION.

Whereas, This house have reason to believe the following named members will not be present during the present session: Messrs. Ireland, Hacker and Songer; and the house request the speaker to fill their places on the various committees to which they belong.

Mr. Cox offered the following resolution:

HOUSE RESOLUTION, NO. 3.

Resolved, That the state treasurer is hereby requested to furnish this house with a detailed statement of the condition of the military fund, showing the amount paid in and the amount disbursed; to whom and for what service rendered the state, with copies of their respective vouchers as are on file in his office, since the 16th October, 1862, as provided for in an act entitled "An act to organize the militia," approved October 16, 1862.

Which resolution was adopted.

Mr. Underwood gave notice that on to-morrow he would introduce a bill for the repeal of the militia law of this state.

Mr. Lane offered the following resolution:

HOUSE RESOLUTION, NO. 4.

Resolved, That two hundred copies of the rules and joint rules governing the proceedings of this house, be printed for the use of the members of the same.

Which resolution was adopted.

Mr. Thornton offered the following resolution :

HOUSE JOINT RESOLUTION, NO. 3.

Resolved by the House of Representatives, the Senate concurring, That fifteen hundred copies of the governor's message and accompanying documents be printed for the use of both houses

The yeas and nays being called, resulted as follows :

Yeas—Messrs. Gingles, McCornack, Murphy, Powell, Thornton and Wasserman—6.

Nays—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fisher, Glass, Holman, Lane, Lawson, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Turner, Underwood, Warner and Mr. Speaker—20.

So the resolution was lost.

Mr. Lawson offered house joint resolution, No. 4, relative to national affairs.

On a motion to indefinitely postpone the resolution, the yeas and nays being called, resulted as follows :

Yeas—Beall, Cox and Lane—3.

Nays—Callison, Cartwright, Chaplin, Fisher, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—24.

So the house refused to indefinitely postpone.

On motion of Mr. Underwood,

The resolution was referred to a select committee of five.

The chair appointed on said committee, Messrs. Underwood, Lawson, Murphy, Quick and Tate.

On motion of Mr. Wasserman,

So much of the governor's message as relates to a registry law, was referred to the committee on judiciary, with instructions to report by bill.

Also, so much of the governor's message as relates to the criminal code, was referred to the committee on judiciary, with instructions to report by bill or otherwise.

And also, so much of the governor's message as relates to military affairs, was referred to the committee on military affairs

Mr. Cox gave notice that at some future time he would intro-

duce a bill to repeal section 653 of an act entitled "An act to provide a code of criminal procedure, and to define crimes and their punishment.

Mr. Underwood gave notice that he would, on to-morrow, introduce a bill for the relief of George W. Larison, Stephen Rigdon and John Fullerton.

On motion,

The house took a recess of half an hour.

The house was called to order at 11:30 o'clock.

The committee on credentials submitted the following report:

REPORT.

To the House of Representatives :

Your committee, to whom the credentials of persons claiming seats from Wasco county were referred, would report: That from the abstracts as furnished from Wasco and Grant counties, that although the returns are somewhat informal, yet it appears by the abstracts, as furnished by the above counties, that H. A. Hogue has a majority of thirty-nine votes over N. H. Gates, in the fifteenth representative district; that they each be invited to a seat within the bar of the house, and that each be heard in his own behalf, and that the claim as between the parties be decided by the house.

P. W. GILLETTE,

Chairman Committee on Credentials.

On motion, the report of the committee was received and adopted.

Mr. Underwood offered the following resolution :

RESOLUTION.

Resolved, That H. A. Hogue be admitted as a member, to fill the vacancy occasioned by the resignation of Mr. Borland.

Mr. N. H. Gates set forth his claims to a seat in this house, in a speech of considerable length, after which

The house adjourned till 2 o'clock this afternoon.

AFTERNOON SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Beall, Cartwright, Chaplin, Colt, Cox, Fay,

Glass, Hacker, Holman, Ireland, Lane, Lawson, McCornack, Otey, Parker, Peirce, Perkins, Quick, Shipley, Songer, Tate, Underwood, Wakefield and Wasserman.

There being no quorum present, the sergeant-at-arms was despatched to bring in the absent members

Upon a second call of the roll, it appeared that a quorum was present. The members yet absent were: Messrs. Bowlby, Colt, Cox, Hacker, Ireland, Shipley, Songer, Tate and Wasserman

The following message was received from the senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying resolution (S. J. R, No. 1) in relation to the constitutional amendment abolishing slavery in the United States, and the same is herewith transmitted for the concurrence of the house

J. C. PEEBLES,
Chief Clerk of the Senate.

On motion of Mr. Underwood,
S. J. R, No. 1, was laid upon the table.

The following communication was received from the state treasurer:

COMMUNICATION FROM THE STATE TREASURER.

OFFICE STATE TREASURER, }
Salem, December 6, 1865. }

To the Speaker of the House of Representatives:

I have the honor to acknowledge the receipt of house resolution No. —, requesting me to furnish a "detailed statement of the condition of the military fund, showing the amount paid in, and the amount disbursed; to whom and for what service rendered the state, with copies of their respective vouchers, as now on file in his office." In answer, I would say that I can furnish the house with a detailed statement of the amount received and disbursed, but am unable to comply with your request as to the nature of service and vouchers therefor, the amounts disbursed being paid upon warrants from secretary of state

Respectfully, your obedient servant,

E. N. COOKE,
State Treasurer

Mr. Lane moved that H J. R, No. 3, relating to the ratification of the amendment to the constitution of the United States, which was made the special order of the day for 2 o'clock

this afternoon, be postponed till Friday next, at 11 o'clock A. M.

Mr. Underwood moved to amend the motion so as to postpone the resolution till 7 o'clock this evening.

Yeas—Messrs. Fisher, Gingles, Holman, McCartney, Peirce, Powell, Smith and Underwood—6.

Nays—Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Gillette, Glass, Lane, Lawson, McCornack, Murphy, Otey, Parker, Perkins, Quick, Tate, Turner, Thornton, Wakefield, Wasserman, Warner and Mr. Speaker—24.

So the amendment was lost.

The question recurring on Mr. Lane's motion, it was adopted. Mr. Fay offered the following resolution :

RESOLUTION.

Whereas, There is an informality in the certificates of election submitted to this house by Col. N. H. Gates and H. A. Hogue, contestants for a seat upon this floor as a representative from Wasco county;

Resolved, That neither of the contestants be entitled to a seat.

On motion,

The resolution was laid on the table.

The resolution to admit Mr. Hogue to a seat in this body was taken up, and after full discussion, was passed by the following vote :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the resolution was adopted, and Mr. Hogue was duly sworn by the secretary of state and took his seat.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER—I am directed by the president of the senate to inform you that the senate has passed the accompanying resolution (S. J. R., No. 2) and the same is herewith transmitted, and the concurrence of the house requested.

J. C. PEEBLES,
Chief Clerk.

S. J. R., No. 2, was read and concurred in by the following vote:

Yeas—Messrs. Bowlby, Callison; Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Beall and Lawson—2.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER—I am directed by the president to inform you that the senate concurs in the passage of H. J. R., No. 2, in relation to accepting the five hundred copies of the governor's message, and the same is herewith returned to the house for enrollment.

On motion of Mr. Callison,

The vote by which the consideration of H. J. R., No. 3, relating to the amendment of the constitution of the United States, was postponed till Friday next, at 11 o'clock A. M., was reconsidered.

On motion of Mr. Fay,

H. J. R., No. 3, was laid on the table.

Mr. Cartwright offered the following joint resolution to refer the report of the state printer to a joint special committee:

HOUSE JOINT RESOLUTION, No. 6.

Resolved by the House, the Senate concurring, That the report of the state printer, submitted at this session, be referred to a joint special committee, consisting of three members on the part of the house and three from the senate, to investigate the cause of the delay of the public printing; and, also, be it further

Resolved, That said committee be authorized to call for persons and papers to aid in the investigation of said delay.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—None.

So the resolution was adopted.

Messrs. Cartwright, Warner and Hogue were appointed said committee on the part of the house.

Mr. Wakefield gave notice that on Friday he would introduce a bill to provide for the registration of voters and to secure the purity of the ballot box

Mr. Underwood gave notice that on to-morrow he would introduce a bill to repeal the law requiring taxes to be paid in gold and silver coin.

Mr. Cox gave notice that at some subsequent day he would introduce a bill to amend an act regulating marriages.

On motion of Mr. Powell,

The vote by which the motion requesting the secretary of state to furnish the members of this house with the senate and house journals was adopted, was reconsidered.

The original motion being now before the house, was, on motion of Mr. Thornton, so amended as to require each copy of the journals furnished to the members to be left on the desks at the close of the session.

Mr. Fay offered the following resolution :

HOUSE JOINT RESOLUTION, NO. 7.

Resolved by the House, the Senate concurring, That after Saturday the 9th inst., no new bill shall be received in either branch of the legislative assembly at this session.

On motion of Mr. Parker,

The resolution was laid on the table by the following vote :

Yeas—Messrs Cartwright, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—22.

Nays—Messrs. Beall, Bowlby, Callison, Cox, Fay, Fisher, Murphy, Powell, Perkins and Wasserman—10.

On motion,

The house adjourned till Friday morning next, at 9 o'clock.

FRIDAY, December 8, 1865.

The house met pursuant to adjournment.

Absent: Messrs. Cartwright, Colt, Hogue, Hacker, Ireland, Lawson, Murphy, Peirce, Shipley, Songer, Wakefield and Wasserman.

Prayer by the Rev. O. Dickinson.

The journal of Wednesday last, was read, and on motion of Mr. Fay was referred to the committee on enrolled bills for correction.

The oath of office was duly administered to Mr. F. M. Wadsworth, by the secretary of state.

Mr. Speaker announced that he had filled the vacancies in certain of the standing committees of the house, so that the said committees now stand as follows :

On Elections—Messrs. Parker, Glass and Beall.

On Education—Messrs. Thornton, Quick and Fisher.

On Indian Affairs—Messrs. Hogue, Callison and Cox.

On Commerce—Messrs. Gillette, Wakefield and Parker.

MESSAGE FROM THE SENATE.

The following message was received from the senate :

SENATE CHAMBER,

Salem, Dec. 8, 1865. }

MR SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying resolution, S. J. R., No. 4, in relation to the death of our late chief magistrate, Abraham Lincoln, and the concurrence of the house is requested.

J. C. PEEBLES,

Chief Clerk of the Senate

Mr. Lane moved that S. J. R., No. 4, be referred to a select committee of three.

On motion of Mr. Underwood,

Mr. Lane's motion was laid on the table by the following vote :

Yeas—Beall, Bowlby, Callison, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Parker, Poirce, Perkins, Quick, Smith, Turner, Underwood, Wasserman and Warner—22.

Nays—Messrs. Cartwright, Chaplin, Cox, Fay, Lane, Otey, Powell, Tate, Thornton and Mr. Speaker—10

On motion of Mr. Lane,

S. J. R., No. 4, was postponed till 2 o'clock, p. m., to-morrow.

Mr. Fay presented the petition of Mr. James Tomlinson and 53 others, praying an amendment to the specific contract law, which was referred to the committee on the judiciary.

Mr. Fay presented the petition of Isaac Hare and 78 others, praying an amendment to the Sunday law, which was referred to the judiciary committee.

Mr. Fay presented the petition of O. Humason and 87 others, praying for a reduction of the salary of the county judge of Wasco county, which was on motion of Mr. Hogue, referred to a select committee of three.

The chair appointed on said committee, Messrs. Hogue, Fay and Wasserman.

Mr. Lawson. presented the petition of Wm. H. Hardman, which was referred to the judiciary committee.

Mr. Parker gave notice that on to-morrow or some subsequent day, he would introduce a bill for the relief of the sheriff of Douglas county.

Mr. Lane offered the following resolution :

RESOLUTION.

Resolved by the Legislative Assembly of the State of Oregon,
That this legislature do adjourn *sine die* at 10:30 o'clock, A. M., this 8th day of December, 1865.

Mr. Underwood moved that the resolution be laid upon the table, which motion was adopted on a division of the house ; 28 members voting in the affirmative.

Mr. Underwood moved that when this house adjourn, it adjourn to meet at 7 o'clock this evening, which motion was adopted.

Mr. Fay offered the following protest :

PROTEST.

We, the undersigned, members of the house of representatives, hereby protest against the proclamation of his excellency, the governor, concerning the legislative assembly in extra session; and the further sitting of this house, in pursuance to said proclamation, for the following reasons, to-wit :

1. Because the message of his excellency, the governor, does not show that any urgent public necessity for a special session exists;

2. Because the members of this house were elected at a time when the principal subject referred to by the executive, that is : the proposed amendment to the constitution of the United States, was not an issue before the people, and therefore the present members of this house cannot be regarded as reflecting the sentiments of the people of this state on said subject;

3. Because it is due to the people of this state as a portion of the sovereign people of the United States, through whom, and by whom all political power is derived, to be offered an opportunity of passing upon a question so deeply affecting their sovereign rights, as a proposed amendment to the supreme law of the land;

4. Because any attempt, either upon the part of the executive or the legislative assembly, or both, to deprive the people of an opportunity of acting upon so momentous a question, is an act of usurpation, and a fraud upon the sovereign rights of the citizens of this state, who are the masters of both the executive and the legislative assembly;

5. Because, from all the evidence before this house, it is clear,

that before the legislative assembly shall again convene in regular session, a sufficient number of the states in the Union to constitute the requisite three-fourths, will not have acted upon the proposed amendment, and therefore, no reason whatever exists for the attempt to deprive the people of this state of their inalienable right to pass upon the subject at the polls, in the manner recognized by law;

6. Because the assembly of the legislature of the state at at this time, and for the objects set forth in the message, causes the state to incur an expense altogether unnecessary, as those subjects for legislation ought properly to be acted upon at a regular session, after the people shall have acted at the polls

THOMAS F. BEALL,
LA FAYETTE LANE,
ISAAC COX,
JAMES D. FAY.

HOUSE OF REPRESENTATIVES, Dec. 8, 1865.

On motion of Mr Quick,

The vote by which S. J. R., No. 4, was made the special order of the day for 2 o'clock to-morrow afternoon, was re-considered

Mr. Underwood moved that the motion by which S. J. R., No. 4, was made the special order for the day for 2 o'clock, P.M. to-morrow, be laid upon the table.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otèy, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the motion was laid on the table.

Mr. Bowlby moved that the house concur in S J R, No. 4.

Mr. Lawson moved the following amendment:

AMENDMENT.

Strike out all down to "the United States," and insert:

Whereas, By the hand of an assassin, that great and good man, Abraham Lincoln, the late lamented president of the United States has been removed from this life.

Which amendment was lost on a division of the house—14 to 15.

Mr. Tate offered the following amendment:

AMENDMENT.

Strike out all between "whereas" in the first line, and the

word "whereby" in the fifth line, and insert the following:

In the inscrutable dispensation of Almighty God, he has permitted the removal of that great and good man, Abraham Lincoln, our late lamented president of the United States, by the hand of an assassin.

On motion of Mr. Underwood, the amendment was adopted.

Mr. Underwood moved that the house concur in S. J. R., No. 4, as amended.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the resolution was concurred in.

Mr. Lawson gave notice that on to-morrow he would introduce a bill for the registration of the voters of this state, and for the better security of free suffrage therein.

Mr. Turner gave notice that at an early day he would introduce a bill to regulate mills and mill dams.

Mr. Fay gave notice that on to-morrow or some subsequent day, he would introduce a bill to regulate the granting of licenses for the retail of liquor: also, a bill to repeal an act entitled an act to organize the militia; and also, a bill to create a board of state auditors.

Mr. Gillette gave notice that on an early day he would introduce a bill to amend an act entitled an act to regulate and tax foreign insurance, banking, express and exchange corporations or associations doing business in this state, approved October 24, 1864.

Mr. Chaplin gave notice that on to-morrow he would introduce a bill to incorporate the the town of La Grande.

Mr. Gingles gave notice that on to-morrow he would introduce a bill to amend an act entitled an act relating to the granting of licenses to sell spiritous liquors, etc., and an act amenatory thereof.

Mr. Thornton gave notice that on to-morrow he would introduce a bill in relation to public instruction, and also a bill to improve the breed of sheep.

On motion of Mr. Underwood,

The vote by which H. R., No. 1, was adopted, was reconsidered.

On motion of Mr. McCartney,

H. R., No. 1, was amended by adding the words, "and the necessary cutlery."

On motion,

H. R., No. 1, as amended, was adopted.

Mr. Lawson presented a petition praying the legislature to provide bounty for the discharged soldiers of company B, 1st regiment Oregon infantry, which was referred to the committee on military affairs.

Mr. Lane introduced H. B., No. 1, a bill to amend an act to provide a code of civil procedure, which was read a first time and ordered printed.

Mr. Lane introduced H. B., No. 2, a bill to amend an act relating to the assessment and collection of taxes.

Mr. Lane moved that the rules be suspended, and H. B., No. 2, read a first time by title.

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lane, McCartney, Murphy, Otey, Parker, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Warner—25.

Nays—Messrs. Callison, Gillette, Lawson, McCornack, Peirce, Perkins and Mr. Speaker—7.

So the motion was lost.

H. B., No. 2, was read a first time by sections, and ordered printed.

Mr. Wakefield introduced H. B., No. 3, "a bill to provide for the registration of voters," etc.

Mr. Wakefield moved that the rules be suspended, and the bill read a first time by title.

Yeas—Messrs. Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall and Fay—2.

So the rules were suspended, and the bill read a first time by title and printed.

Mr. Fay gave notice that on to-morrow or some subsequent day, he would introduce a bill to prevent the immigration of negroes, mulattoes, chinamen and kanakas into this state.

Mr. McCornack gave notice that on to-morrow or some other day, he would introduce a bill to prevent persons from killing game at certain seasons of the year.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 8, 1865. }

MR. SPEAKER—I am directed by the president to inform you

that the Senate has concurred with the house in the adoption of H. J. R., No. 6, in relation to the appointment of a joint committee, on report of state printer, and that Messrs. Hovey, Cornelius and Pyle have been appointed on part of senate, and the resolution is herewith returned.

J. C. PEEBLES,
Chief Clerk of the Senate.

On motion of Mr. Underwood,
S. J. R., No. 1, relative to the constitutional amendments, was taken from the table

Mr. Tate moved the following amendment:

AMENDMENT.

Strike out all after the word "whereas," and insert the following:

The senate and house of representatives of the United States of America in congress assembled, did on the first day of February, one thousand eight hundred and sixty-five, pass the following resolution as an amendment to the constitution of the United States, in words and figures as follows, to wit:

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

And, Whereas, It is provided that said amendment shall be submitted to the legislatures of the several states for their ratification; therefore, be it

Resolved by the Legislative Assembly of the State of Oregon, That the said amendment be, and the same is hereby ratified by this state.

On motion of Mr. Underwood,
The amendment was adopted.

Mr. Underwood moved that the house concur in S. J. R., No. 1, as amended.

Pending which motion, the house adjourned.

EVENING SESSION.

The house met at 7 P. M.

Absent: Messrs. Cartwright, Colt, Hacker, Ireland, Shipley and Songer.

The house resumed the consideration of the motion to concur in S. J. R., No. 1, relative to the amendment to the constitution of the United States

Mr. Hogue, at 12:30 A. M., December 9, 1865, moved that the house adjourn; which motion was decided in the negative, and the discussion of the constitutional amendment was continued.

On a call of the house, it appeared that all the members were present who have answered at this session.

On motion,

The house concurred in S. J. R., No. 1, as amended, by the following vote:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

Mr. Underwood offered the following resolution:

RESOLUTION.

Resolved, That the secretary of state be, and he is hereby instructed to telegraph to William H. Seward, secretary of state, Washington City, D. C., that the legislature of this state has this day passed the amendment to the constitution of the United States, prohibiting slavery in the United States and all places subject to their jurisdiction.

Mr. Fay moved to amend the resolution by adding, "at the expense of the gentleman from Lane."

On motion of Mr. Underwood,

The motion to amend was laid on the table by the following vote:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

On motion of Mr. Bowlby,

Mr Underwood's motion was laid on the table.

On motion of Mr Underwood, (made at 1:25 A. M., December 9, 1865,)

The house adjourned till 10 o'clock this morning.

SATURDAY, December 9, 1865.

The house met at 10 o'clock, A. M.

Absent: Messrs. Cartwright, Colt, Hacker, Ireland, Lane, Peirce, Songer, Underwood and Wasserman.

Prayer by the Rev. Dr. Wythe.

The journal of yesterday was read, corrected and approved.

On motion of Mr. Underwood,

H. J. R., No. 3, relative to the constitutional amendment, was laid on the table.

A communication was received from the state treasurer, setting forth the condition of the military fund, with a detailed statement of receipts and disbursements from Oct. 16, 1862, which was referred to a select committee of three.

The chair appointed on said committee, Messrs. Cox, Underwood and Murphy.

Mr. Warner from the committee on enrolled bills, submitted the following report:

REPORT.

MR. SPEAKER—Your committee on enrolled bills having examined H. R.'s, No. 1, 2, 3, 4 and 5, and H. J. R.'s, No. 1 and 2, report them correctly enrolled.

ARTHUR WARNER,
Chairman.

Mr. Warner from the committee on enrolled bills, submitted the following report:

REPORT.

MR. SPEAKER—Your committee on enrolled bills, to whom was referred the journals of Wednesday, the 6th Dec. 1865, would report the same duly corrected.

ARTHUR WARNER,
Chairman.

Mr. Murphy gave notice that at some future day he would introduce a bill to amend section 2, of an act to regulate the civil and criminal procedure in justices' courts, so as to give jurisdiction to said courts in cases of larceny, that may be punished by imprisonment in the county jail or by fine; and also, a bill to amend section 883, of an act to provide a code of civil procedure, so as to make the jurisdiction of justices of the peace co-extensive with the county in which they are elected.

Mr. Quick gave the following notice:

NOTICE.

MR. SPEAKER—I give notice that on to-morrow or some future day, I will introduce a bill to amend an act entitled an act to regulate roads and highways.

Mr. Underwood gave the following notice :

NOTICE.

I give notice that I will introduce a bill on to-morrow, or some future day, to protect domestic animals.

Mr. Gingles introduced H. B., No. 4, a bill to amend an act entitled an act relating to the granting of licenses to sell spirituous liquors, and to the licensing of billiard tables, ball alleys and pedlers; and an act amendatory thereof; which was read a first time and ordered printed.

Mr. Hogue, on leave, introduced H. B., No. 5; a bill for the relief of N. H. Gates.

The bill having been introduced without previous notice, on motion, the rules were suspended by the following vote, and the bill read a first time now, and ordered printed :

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

Nays—None.

Mr. Thornton introduced H. B., No. 6; a bill in relation to public instruction.

On motion of Mr. Thornton,

The rules were suspended by the following vote, and the bill read a first time by title, and ordered printed.

Yeas—Messrs. Beall, Bowlby, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—27.

Nays—Messrs. Gillette, Parker and Shipley—3.

Mr. Cox introduced H. B., No. 7; a bill to repeal section 653 of the code for criminal procedure; which was read a first time and the printing dispensed with.

Mr. Lawson introduced H. B., No. 8; a bill to provide for the registration of the voters of this state, and the better security of free suffrage; which was read a first time, and ordered printed.

Mr. Chaplin introduced H. B., No. 9; a bill to incorporate the town of LaGrande.

On motion of Mr Chaplin,

The rules were suspended by the following vote; the bill read by title, and ordered printed.

Yeas—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman; Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—29.

Nays—None.

Mr. Thornton introduced H. B., No. 10, a bill to improve the breed of sheep, which was read a first time and ordered printed.

Mr. Underwood offered H. J. R., No. 8, to prevent the introduction of new bills after Tuesday next.

On motion of Mr. Lawson, the resolution was amended by striking out the word "bills," and inserting the word "business."

The resolution was adopted as amended by the following vote:

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Lane, Lawson, McCornack, McCartney Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Warner and Mr. Speaker—24.

Nays—Messrs. Cartwright, Gingles, Hogue, Holman, Murphy, Otey and Thornton—7.

Mr. Lane submitted the following report:

REPORT.

Your committee, to whom was referred the petition of citizens of Umatilla City, praying for a repeal of the city charter of said city, have had the same under consideration, and instruct me to report by the following bill, and recommend its passage.

H. B., No. 11, a bill to repeal the charter of Umatilla City was read a first time.

On motion of Mr. Lane, the printing was dispensed with.

Mr. Hogue offered H. J. R., No. 9, relating to mail routes and post offices in Grant county, which was adopted by the following vote:

Yeas—Beall, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney; Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

On motion,
The house adjourned till 2 o'clock, P.M.

AFTERNOON SESSION.

The house met pursuant to adjournment.
Absent: Messrs Bowlby, Cartwright, Colt, Fisher, Hacker, Ireland, Murphy and Songer.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 9, 1865. }

MR. SPEAKER—I am directed by the president to inform you that that the senate refuses to concur in the house amendments to S. J. R's, Nos. 1 and 4, and they are herewith transmitted for the further action of the house.

J. C. PEEBLES,
Clerk Senate.

Mr. Tate moved that the house recede from its amendment to S. J. R, No. 1, which motion was refused.

On motion of Mr. Fay,

The chair appointed Messrs. Fay and Underwood a committee on the part of the house, to confer with a like committee on the part of the senate, with reference to house amendment to S. J. R., No. 1.

Mr. Fay moved that the house recede from its amendment to S. J. R., No. 4, which motion was refused.

On motion of Mr. Gillette,

The chair appointed a committee of conference on S. J. R., No. 4, consisting of Messrs. Gillette and Tate.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 9, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying bill (senate bill, No. 8), "A bill to amend an act to establish an institution of

learning in Polk county," and the same is herewith transmitted and the concurrence of the house requested.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker appointed the following joint committee on enrolled bills, on the part of the house: Messrs. Warner, Peirce and Perkins

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 9, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. J. R., No. 3, in reference to an adjournment of the legislative assembly *sine die*, on the 16th instant, and the same is herewith transmitted for the concurrence of the house.

Also, that the president has appointed Messrs Frazer, Hinsdale and Hovey a committee on enrolled bills, on the part of the senate, in accordance with joint rule No. 2.

J. C. PEEBLES,
Chief Clerk.

On motion of Mr. McCornack,
S. J. R., No. 3, was laid on the table.

On motion of Mr. Hogue,

The printing of H. B., No. 5, "A bill for the relief of N. H. Gates," was dispensed with.

Mr. Underwood introduced H. B., No 12, "A bill to amend an act organizing the militia," which was read a first time and the printing dispensed with.

On motion of Mr. Wasserman,

The rules were suspended by the following vote, and H. B., No. 12, was read a second time by title:

Yeas—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

Nays—Mr. Fay—1. •

On motion of Mr. Gillette,
H. B., No. 12, was referred to the committee on military affairs.

Mr. Fay offered the following resolution:

HOUSE JOINT RESOLUTION, No. 10.

Resolved by the House, the Senate concurring, That our senators and representatives in congress be, and they are hereby requested to exert their influence to obtain an appropriation in order to construct a military road from Fort Klamath, Oregon, to Ruby City, Idaho territory.

Mr. Underwood moved that the resolution be referred to a select committee of three.

Mr Fay moved to amend Mr Underwood's motion, so as to refer the resolution to a committee of the whole; which motion was lost on division—11 to 15.

Mr. Parker moved to amend Mr. Underwood's motion, so as to refer the resolution to a select committee of five; which amendment was accepted, and the resolution was so referred.

The chair appointed on said committee Messrs. Parker, Fay, Beall, Underwood and Gillette.

Mr. Gillette presented H. M., No. 1, to the legislature of Washington territory, asking for legislation in relation to pilotage on the Columbia river; which was read and adopted by the following vote:

Yeas—Messrs Beall, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr Speaker—29.

Nays—None.

S. B, No. 8, a bill to amend an act to establish an institution of learning in Polk county, was read a first time.

On motion of Mr. Underwood,

The rules were suspended by the following vote, and the bill read a second time by title.

Yeas—Messrs. Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Palmer, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Mr. Fay—1.

On motion of Mr. Holman,

The bill was referred to the joint committee on education.

Mr. McCornack introduced H B., No. 13, a bill for the protection of game, which was read a first time, and ordered printed.

Mr. Tate gave the following notice:

NOTICE.

I give notice that on Monday I will introduce a bill to amend an act incorporating the city of Albany.

Mr. Cox gave the following notice :

NOTICE.

I herewith give notice of my intention at some future time to introduce a bill to amend section 700 of "An act to provide a code of civil procedure," passed September 8, 1862.

Mr. Fay gave the following notice :

NOTICE.

I hereby give notice that on Monday, or some subsequent day, I will introduce a bill authorizing the transfer of the sum of ten thousand dollars from the military to the general fund ; and I hereby give notice of my intention to introduce a bill to regulate the collection of taxes on chinese, negroes, mulattoes and kanakas.

Mr. Thornton gave notice that at an early day he would introduce a bill to prevent the trespassing of certain animals therein named.

Mr. Lane gave the following notice :

NOTICE.

I herewith give notice of my intention to introduce a bill to prevent fraudulent assignment in trust for creditors, and other fraudulent conveyances

Mr. Lawson gave notice that on Monday he would introduce a bill to amend sections 566 and 615 of the code of criminal procedure.

On motion of Mr. Callison,

The house adjourned till 9 o'clock A M , on Monday next

MONDAY, Dec. 11, 1865.

The house met pursuant to adjournment.

Absent : Messrs. Cartwright, Colt, Cox, Fisher, Hacker, Ireland, Lane, McCornack, Songer, Turner and Wasserman.

Prayer by the Rev. Dr. Boswell.

The journal of Saturday last was read, corrected and approved.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 9, 1865. }

MR SPEAKER—I am directed by the president to request that the house return to the senate S. J. R's, Nos. 1 and 4, with the house amendments, in order that the senate may either insist or recede.

J. C. PEEBLES,
Chief Clerk Senate.

Mr. Hogue presented the petition of Tho. L. Brents, and 194 others, praying a repeal of the Sunday law, which was, on motion, referred to the committee on judiciary.

Mr. Warner, from the committee on enrolled bills, submitted the following report:

REPORT.

MR. SPEAKER—Your committee on enrolled bills have examined H. J. R., No. 6, and report the same correctly enrolled.

ARTHUR WARNER,
Chairman.

Mr. Thornton submitted the following report:

REPORT.

The joint committee on education, to whom was referred senate bill, No. 8, have had the same under consideration, and have instructed their chairman to report the same back to the house, and recommend its passage.

JNO. A. FRAZER,
Chairman of the Joint Committee on Education.

Mr. Speaker announced that he had signed house resolutions, numbers 2, 3, 4 and 5; and also house joint resolutions, numbers 1, 2 and 6.

Mr. Parker gave the following notice:

NOTICE.

MR SPEAKER—I hereby give notice, that I shall on to-morrow, introduce a bill to regulate the practice of medicine.

Mr. Wakefield gave the following notice:

NOTICE.

I hereby give notice that I will introduce a bill to amend the city charter of Portland, so as to give the city authority to lay out new streets, and appropriate private property therefor.

Mr. Peirce gave the following notice :

NOTICE.

I give notice that on to-morrow; I will introduce a bill to amend the present school law, so as to enable clerks to enforce the collection of taxes, and for other purposes.

Mr. Callison gave the following notice :

NOTICE.

MR. SPEAKER—I give notice that I will on to-morrow, introduce a bill to legalize acts of J. B. Underwood, notary public, performed through mistake of law.

Mr. Perkins gave the following notice :

NOTICE.

I hereby give notice that on to-morrow or some subsequent day, I will introduce a bill to amend an act entitled an act to prevent the spread of contagious or infectious diseases among domestic animals; approved Oct. 15, 1862.

Mr. Murphy gave the following notice :

NOTICE.

Notice is hereby given that I will on to-morrow, introduce a bill to amend section 5, of an act creating offices, and providing for the government of the penitentiary; approved Oct. 21, 1864.

Mr. Gillette gave the following notice :

NOTICE.

MR. SPEAKER—I give notice that on to-morrow I will introduce a bill to amend an act to regulate pilotage on the Columbia river.

Mr Fay gave the following notices :

NOTICES.

Notice is hereby given; that on to-morrow I shall introduce a

bill to amend an act entitled an act to regulate the office of public printer. Also, I hereby give notice of my intention to introduce a bill amendatory to an act entitled an act to repeal all statutes of a general nature, with certain exceptions; approved Oct. 24, 1864. And also, notice is hereby given of my intention to introduce a bill to carry into effect section 35 of article 1, and section 9 of article IV of the constitution

Mr. Powell gave the following notice:

NOTICE.

I herewith give notice that on to-morrow, I will ask leave to introduce a bill to amend certain sections of the school law: 1st, to provide for the filling vacancies in district offices; 2d, to declare what property in school districts is liable to be taxed for school purposes

Mr. Hogue gave the following notice:

NOTICE.

MR SPEAKER—I give notice that I will on to-morrow, introduce a bill to amend section 4 of an act to establish and regulate quartz mining claims, and in relation to placer claims. town sites and water rights in mining camps

H. B., No. 2; a bill to amend an act relating to the assessment and collection of taxes, passed January 27, 1854, was read a second time.

Mr. Underwood moved to amend the bill by inserting after the words "United States" not exempt by law of congress.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 11, 1865. }

MR SPEAKER—I am directed by the President, to inform you that the senate insists on their disagreement to house amendments to senate joint resolution number 1, in relation to the constitutional amendment, and also refuses at this time to appoint a committee of conference.

J C. PEEBLES,
Chief Clerk.

On motion of Mr. Bowlby,

The vote by which the house refused to recede from its amendment to S. J. R., No. 1, was reconsidered.

The vote by which house amendment to S. J. R., No. 1, was adopted, was, on motion, reconsidered.

The question being on the adoption of house amendment to S. J. R., No. 1, it was refused.

Mr. Tate moved that the house concur in S. J. R., No. 1

Mr. Fay moved to lay S. J. R., No. 1, on the table, which motion was refused.

On motion of Mr. Underwood,

A call of the house was ordered.

Absent: Messrs. Colt, Cox, Hacker, Ireland and Songer.

On motion of Mr. Gillette,

The further call of the house was dispensed with.

The question being, Shall the house concur with the senate in the adoption of S. J. R., No. 1? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Poirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the house concurred in S. J. R., No. 1, adopting the amendment to the constitution of the United States of America, prohibiting slavery or involuntary servitude therein.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 11, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate concurs with the house in the adoption of house amendments to S. J. R., No. 4, in relation to the assassination of the president of the United States, Abraham Lincoln.

J. C. PEMBLES,
Chief Clerk of the Senate.

The consideration of Mr. Underwood's amendment to H. B., No. 2, "A bill to amend an act relating to the assessment and collection of taxes," passed January 27, 1854, was resumed; pending which,

The house adjourned.

AFTERNOON SESSION.

The house met at 2 o'clock, P. M.

Absent: Messrs. Colt, Cox, Hacker, Ireland and Songer.

Mr. Underwood's amendment to H. B., No. 2, being under consideration,

Mr. Parker moved the previous question, which was ordered.

The question being, Shall the amendment be adopted? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Beall, Cox, Fay, Lane and Powell

So the amendment was adopted

On motion of Mr. Lane,

H. B., No. 2; a bill to amend an act relating to the assessment and collection of taxes, was indefinitely postponed.

Mr. Wakefield moved that the rules be suspended, and H. B. No. 3; a bill to provide for the registration of the names of electors, and for the ascertainment of proper proofs of the persons who shall be entitled to the rights of suffrage, and prescribing the manner of regulating and conducting elections, and prohibiting under adequate penalties, all undue influence therein, read a second time by title.

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—None.

So the rules were suspended, and H. B., No. 3, was read a second time by title.

On motion of Mr. Wakefield,

H. B., No. 3, was referred to a select committee of five.

The chair appointed on said committee, Messrs. Wakefield, Underwood, Tate, Otey and Peirce

H. B., No. 4; a bill to amend an act entitled an act relating to the granting of licenses to sell spiritous liquors, and to the licensing of billiard tables, ball alleys and pedlars, and an act amendatory thereof, was read a second time, and on motion, referred to a select committee, consisting of Messrs. Fay, Gingles and Lawson.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 11, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying S. J. R's, No's. 5, 6 and 7, and they are herewith transmitted for the concurrence of the house. Also, that the senate has passed S. B., No. 5; a bill for the relief of C. B. Fisher and J. E. Street, and the same is herewith transmitted, and the concurrence of the house requested.

J. C. PEEBLES,
Chief Clerk of the Senate.

On motion of Mr. Quick,

S. J. R., No. 5, relative to enforcing national revenue laws, was concurred in by the following vote.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

On motion of Mr. Wakefield,

S. J. R., No. 6, to raise a joint committee to investigate the accounts of the state treasurer, and also, those of the adjutant general, was concurred in by the following vote:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—33.

Nays—None.

S. J. R., No. 7, relative to making Portland a port of entry, was read, and Mr. Wakefield moved that the house concur.

Mr Hogue moved that the resolution be referred to a select committee of three, which motion, taking precedence, was put and carried in the affirmative.

The chair appointed on said committee, Messrs. Hogue, Wakefield and Bowlby

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Salem, Dec. 11, 1865 }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying bill, S. B., No. 16, a bill for the relief of the sheriff of Douglas county, and the concurrence of the house is requested.

J. C. PEEBLES,
Clerk Senate.

H. B., No. 5, a bill for the relief of N. H. Gates, was read a second time

On motion of Mr Parker,

The bill was referred to a committee on claims.

H. B., No. 7, a bill to repeal section 653 of the code of criminal procedure, was read a second time, and on motion of Mr. Wakefield, the bill was referred to the judiciary committee.

H. B., No. 10, a bill to improve the breed of sheep, was read a second time, and ordered engrossed, and to a third reading to-morrow.

H. B., No. 11, a bill to repeal an act to incorporate Umatilla, was read a second time.

Mr. Lane moved, that the rules be suspended, the bill considered engrossed, and read a third time, now.

Yeas—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

Nays—Mr. Callison—1.

So the rules were suspended, the bill was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Hogue, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

Nays—None.

So the bill passed.

Mr. Underwood moved that his resolution relative to telegraphing the constitutional amendment, to officers of the government at Washington City, be taken from the table, which motion was carried.

Mr. Quick moved to amend the resolution by adding to it the

words, "with but seven dissenting votes," which amendment was accepted.

On motion of Mr. Underwood,

The resolution was adopted as amended.

On motion of Mr. Lawson,

The rules were suspended, so that he could introduce a bill without preliminary notice.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

Nays—None.

So the rules were suspended, and

Mr. Lawson introduced H. B., No. 14, "A bill to prohibit amalgamation by intermarriage of races, and to punish persons violating this act," which was read a first time and the printing dispensed with.

Mr. Holman gave the following notice :

NOTICE.

MR. SPEAKER—I hereby give notice that on to-morrow, I will introduce a bill for the protection of fair grounds.

Mr. Powell gave the following notice :

NOTICE.

I give notice that on to-morrow I will ask leave to introduce a bill to protect persons in their rights against irresponsible persons from entering upon, for the purpose of hunting and shooting game, or any other sporting with the use of firearms, without the consent of the owner thereof, any fields, pastures or other enclosures.

On leave granted,

Mr. Lane offered the following resolution :

HOUSE RESOLUTION, NO. 6.

Whereas, By the hand of the foul assassin, it has pleased Almighty God, in his infinite wisdom, to take from our midst and the great field of his labors, Abraham Lincoln, the sixteenth president of these United States; and

Whereas, in Abraham Lincoln we recognize the duly elected chief magistrate of the land; therefore,

Resolved, That we deeply deplore his untimely death, and in

unmeasured terms express our indignant condemnation of the atrocious deed of the assassin, the base, unholy motive which actuated, and the heartless and vicious counsel which instigated it.

On motion of Mr. Underwood,
The resolution was adopted by the following vote :

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Shipley, Tate, Thornton, Underwood, Warner and Mr. Speaker—22.

Nays—Messrs. Gillette, Glass, Parker, Perkins, Smith, Turner and Wakefield—7.

So the resolution was adopted.

Mr. Underwood moved that this house adjourn till 6:30 o'clock, this evening

Mr. Wakefield moved to amend, so as to adjourn till 7 o'clock this evening.

Mr. Parker moved to amend so as to adjourn till 9 o'clock, A. M., to-morrow, which amendment was not agreed to.

The question being on Mr. Wakefield's amendment, the same was adopted, and the house adjourned till 7 o'clock, this evening.

EVENING SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Colt, Hacker, Ireland, Murphy, Souger and Warner.

Mr. Fay gave the following notice :

NOTICE.

Notice is hereby given that on to-morrow, I shall introduce a bill to repeal an act known as the specific contract law.

H. B., No. 15; a bill to amend an act entitled an act to incorporate the city of Albany, was read a first time, and the printing dispensed with

H. B., No. 16; a bill to prevent fraudulent assignment in trust to creditors, and other fraudulent conveyances, was read a first time, and ordered printed.

H. B., No. 17; a bill to organize a board of State auditors, was read a first time, and ordered printed.

H. B., No. 18; a bill providing for the transfer of certain moneys from the military to the general fund, was read a first time, and the printing dispensed with.

H. B., No. 19; a bill to regulate roads and highways, was read a first time, and ordered printed.

H. B., No. 20; a bill to provide for the removal of certain persons under section 35, of article I, and section 8 of article XV of the constitution of the State of Oregon; was read a first time.

Mr. Bowlby moved that H. B., No. 20, be rejected.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Gillette, Glass, Gingles, McCornack, Powell, Quick, Tate, Thornton, Underwood, Wakefield and Wasserman—15.

Nays—Messrs. Beall, Cox, Fay, Fisher, Hogue, Holman, Lane, Lawson, McCartney, Otey, Parker, Peirce, Perkins, Smith, Shipley, Turner and Mr. Speaker—17.

So the bill was not rejected, and it passed to the printer.

H. B., No. 21; a bill to amend an act entitled an act to provide a code of civil procedure, and to define crimes and their punishment; read a first time and ordered printed.

Mr. McCornack gave the following notice:

NOTICE.

I hereby give notice that on to-morrow I will introduce a bill for the purpose of repealing section 5 of an act to amend an act to provide for the sale of common school land, passed, Jan. 22, 1859.

H. B., No. 22; a bill to amend an act to regulate the civil and criminal procedure in justices' courts, approved October 21, 1864, was read a first time, and ordered printed.

H. B., No. 23; a bill to amend an act entitled an act to provide a code of civil procedure, was read a first time, and ordered printed.

H. B., No. 24; a bill to repeal an act entitled an act to organize the militia, was read a first time, and passed to the printer.

On motion of Mr. Turner,

The rules were suspended by the following vote, to enable him to introduce a bill without previous notice.

Yeas—Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

Nays—None.

H. B., No. 25; a bill authorizing the erection of mill dams, and

for the support and regulation of mills, was introduced by Mr. Turner, read a first time, and ordered printed.

Mr. Shipley gave the following notice :

NOTICE.

I hereby give notice that on to-morrow, I shall introduce a bill to provide for changing the state seal.

On motion of Mr. Wakefield,

The rules were suspended by the following vote, to enable Mr. Parker to introduce a bill without previous notice.

Yeas—Messrs Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32

Nays—None.

So Mr. Parker introduced H. B., No. 26, a bill regulating the practice of medicine, which was read a first time, and ordered printed.

On motion of Mr. Callison,

The rules were suspended by the following vote, to enable him to introduce a bill without previous notice.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Cox, Chaplin, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32

Nays—None

So, Mr. Callison introduced H. B., No. 27, a bill to legalize certain acts of J. B. Underwood, a notary public, which was read a first time, and the printing dispensed with.

On motion of Mr. Hogue,

The rules were suspended by the following vote, to enable him to introduce a bill without previous notice.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner, Wasserman, and Mr. Speaker—30

Nays—None.

So, Mr. Hogan introduced H. B., No. 28, a bill to amend an act entitled an act to establish and regulate quartz mining claims,

and in relation to placer claims, town sites and water rights in mining camps, approved October 24, 1864, which was read a first time, and ordered printed.

Mr. Bowlby gave the following notice:

NOTICE.

I give notice that on to-morrow, I will introduce an appropriation bill for the purpose of paying the expenses of the present session of the legislature.

Mr. Underwood introduced H. B., No. 29, a bill to amend an act entitled an act to amend an act relating to the assessment and collection of taxes, passed Jan. 27, 1854, and to repeal an act entitled an act to provide for the disposing of several kinds of money received into the public treasury, approved, Oct. 21, 1864, which was read a first time, and ordered printed.

On motion of Mr. Fay,

The house adjourned till to-morrow morning at 10 o'clock.

TUESDAY, December 12, 1865.

The house met pursuant to adjournment.

Absent: Messrs. Bowlby, Colt, Hacker, Ireland, Powell, Shipley, Songer and Wakefield

The journal of yesterday was read and approved.

Prayer by the Rev. O. Dickinson.

Mr. Tate, from the committee on engrossed bills, reported H. B., No. 10; a bill to improve the breed of sheep, correctly engrossed. He also reported H. R., No. 7, requiring the secretary of state to telegraph to Wm. H. Seward, the passage of the constitutional amendment, correctly engrossed.

Mr. Bowlby submitted the following report:

REPORT.

MR. SPEAKER—I am instructed by the committee on claims to report H. B., No. 5, back to the house, with a recommendation that it pass.

W. BOWLBY,
Chairman.

Mr. Parker made the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. J. R., No. 10, asking for an appropriation by congress to build a road from Fort Klamath, Oregon, to Ruby City, Idaho territory, would respectfully report that they find that congress has already made an appropriation, which is being expended for the building of a road from Eugene to Ruby City, by the way of Fort Klamath, or within a few miles of Fort Klamath, and that your committee would report that the resolution do not pass.

P. C. PARKER,
Chairman.

On motion of Mr. Underwood,
The report was adopted by the following vote.

Yeas—Messrs. Bowlby, Chaplin, Gillette, Glass, Holman, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Perkins, Quick, Smith, Tate, Underwood, Wakefield and Mr. Speaker—18.

Nays—Messrs. Beall, Cox, Fay, Fisher, Gingles, Hogue, Lane, Otey, Turner and Thornton—10.

So the report was adopted.

- The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 9, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate concurs with the house in the passage of H. J. R., No. 9, and H. M., No. 1, and they are herewith transmitted to the house for enrollment.

J. C. PEEBLES;
Chief Clerk.

Mr. Fay submitted the following report :

REPORT.

To the Honorable the House of Representatives.

Your committee, to whom was referred H. B., No. 4, beg leave to report the same back to the house with the accompanying amendments, and recommend the passage of the bill as amended.

The committee further recommend the adoption of the accompanying bill, supplemental to "An act to repeal certain statutes of a general nature, with certain exceptions," approved October 24, 1864.

All of which is respectfully submitted.

JAMES D. FAY

On motion of Mr. Gingles,

The report was adopted.

On motion,

The amendment reported by the committee was adopted.

Mr. Underwood moved an amendment to H. B., No. 4, so as to save the rights of incorporated cities, etc., which was adopted.

On motion of Mr. Lawson,

H. B., No. 4, to amend the law granting license to sell liquors, was ordered engrossed, and to a third reading to-morrow.

H. B., No. 30, a bill supplemental to "An act to repeal certain statutes of a general nature, with certain exceptions," approved October 24, 1864, was placed on file, to come up in its regular order.

Mr. Hogue submitted the following report:

REPORT.

MR. SPEAKER—Your committee to whom was referred senate joint resolution, No. 7, report it back to the house, with the commendation that it do pass.

H. A. HOGUE,

Chairman Committee.

On motion of Mr. Wakefield,

The report was adopted.

On motion of Mr. Wakefield,

S J. R., No. 7, relative to a port of entry at Portland, was concurred in by the following vote:

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Cox, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—26.

Nays—Messrs. Beall, Fay, Fisher, Gillette, Turner and Warner—6.

Mr. Wakefield offered H. J. R., No. 11, for a joint convention to elect a penitentiary commissioner, which was adopted by the following vote:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—None.

Mr. Lawson offered H. J. M., No. 2, relative to the taxation of United States bonds, which was adopted by the following vote:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Mr. Murphy—1.

H. B., No. 30; a bill supplemental to an act to repeal certain statutes of a general nature, with certain exceptions, approved Oct. 24, 1864, was read a first time, and ordered printed.

Mr. Holman introduced H. B., No. 31, a bill to protect fair grounds, which was read a first time, and ordered printed.

Upon the unanimous consent of the house, Mr. Underwood introduced H. B., No. 32, a bill for the relief of G. W. Larison, which was read a first time, and on motion of Mr. Lawson, was referred to the committee on claims.

Upon the unanimous consent of the house, Mr. Bowlby introduced H. B., No. 33, to appropriate money for the payment of the expenses of this session of the legislature, which was read a first time, and the printing dispensed with.

Mr. Fay introduced H. B., No. 34, a bill to repeal the specific contract law, which was read a first time.

Mr. Underwood moved that the bill be rejected.

Mr. Thornton moved a call of the house, which was ordered.

Absent: Messrs. Colt, Hacker, Ireland and Wakefield

On motion of Mr. Quick,

The further call of the house was dispensed with.

On motion,

The previous question was ordered, on the motion to reject on decision 15 to 16.

The vote being taken on the question, Shall the bill be rejected? resulted as follows:

Yeas—Messrs. Bowlby, Cartwright, Gingles, Hogue, Holman, Lawson, McCartney, Peirce, Powell, Quick, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—17.

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Lane, McCornack, Murphy, Otey, Parker, Perkins, Smith, Tate and Thornton—17.

So the motion was refused, and the bill was ordered printed.

On motion,

The house adjourned till 2 o'clock this afternoon.

AFTERNOON SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Bowlby, Colt, Hacker, Ireland, Lane and Songer.

On motion of Mr. Underwood,

S. J. R., No. 3; relative to final adjournment of this legislative assembly, was taken from the table.

Mr. Underwood moved to amend S. J. R., No. 3, by striking out Saturday, the 16th, and inserting Tuesday, the 19th, which amendment was adopted on division, 2 to 8.

On motion of Mr. Underwood,

The house concurred in S. J. R., No. 3, as amended, by the following vote:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—26

Nays—Messrs. Beall, Cox, Fay, Fisher, Otey, Perkins, Shipley and Warner—8.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 12, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the president has appointed Messrs. Grim, Hovey and Caldwell as joint committee on part of the senate, in accordance with S. J. R., No. 6, to examine the accounts of the state treasurer and adjutant general.

J. C. PEEBLES,

Chief Clerk.

Mr. Speaker appointed, on the part of the house, Messrs. Underwood, Bowlby and Lane, on the joint committee to examine the accounts of the state treasurer and the adjutant general.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 12, 1865. }

MR. SPEAKER—I am directed by the president to inform you

that the senate has passed the following bills and joint resolutions: S. B., No. 4; S. B., No. 11; S. J. R.'s, No.'s 9 and 10, and S. J. M., No. 1; and they are herewith transmitted, and the concurrence of the house requested.

J. C. PEEBLES,
Chief Clerk Senate

S. J. R., No. 9, proposing certain amendments to the constitution of Oregon, was read by the clerk, and

On motion of Mr. Wasserman, was referred to a select committee of five.

The chair appointed on said committee, Messrs. Wasserman, Tate, Fay, Murphy and Chaplin.

On motion of Mr. Tate,

The house concurred in S. J. R., No. 10, by the following vote:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Warner—33.

Nays—None

On motion of Mr. Wakefield,

The house concurred in S. J. M., No. 1, relative to the taxation of mines, by the following vote:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—34.

Nays—None.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 12, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. J. R., No. 1, and S. J. R., No. 2, have been reported truly enrolled, and they are herewith transmitted to you for signature.

J. C. PEEBLES,
Chief Clerk Senate.

Mr. Powell introduced H. B., No. 35, a bill to prevent persons from hunting or shooting game on others premises.

Mr. Fay moved the bill be rejected, which motion was lost on division, 10 to 23, and the bill was ordered printed.

Mr. Peerce introduced H. B., No. 36, a bill to amend the school law, which was read a first time, and ordered printed.

Mr. Gillette introduced H. B., No. 37, a bill to amend an act relating to pilotage on the Columbia river, which was read a first time, and the printing dispensed with.

Mr. Thornton introduced H. B., No. 38, a bill to prevent the trespassing of certain domestic animals therein named, which was read a first time, and ordered printed.

Mr. Perkins introduced H. B., No. 39, a bill to amend an act to prevent the spread of contagious diseases among domestic animals, which was read a first time, and the printing dispensed with.

Mr. Smith introduced H. B., No. 40, a bill to prevent cattle stealing, which was read a first time, and the printing dispensed with.

Mr. Lawson introduced H. B., No. 41, a bill to amend the law granting bounties to volunteers, which was read a first time, and ordered printed.

Mr. Murphy introduced H. B., No. 42, a bill to amend section 5 of an act creating offices, and governing the penitentiary, which was read a first time, and the printing dispensed with.

Mr. Shipley introduced H. B., No. 43, a bill to amend an act to provide a seal for the state of Oregon, which was read a first time, and the printing dispensed with.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 12, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate concurs in house amendment to S. J. R., No. 3, in relation to final adjournment.

J. C. PEEBLES,
Clerk Senate.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 12, 1865. }

MR. SPEAKER—I am directed to inform you that the senate has passed H. J. R., No. 8, with an amendment, and the same is

herewith transmitted, and the concurrence of the house requested.

J. C. PEEBLES,
Chief Clerk of the Senate.

On motion of Mr. Wakefield,

The house concurred in the senate amendment to H. J. R., No. 8, relative to the introduction of new business

Mr. Powell introduced H. B., No. 44, a bill advisory of certain sections of an act to regulate common schools, which was read a first time, and on a motion to reject the bill, the yeas and nays being called for, resulted as follows:

Yeas—Messrs. Beall, Cox, Fay, Gillette, Glass, Holman, Otey, Perkins, Smith and Tate—10.

Nays—Messrs. Bowlby, Callison, Cartwright, Fisher, Gingles, Hogue, Lane, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Quick, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—23.

So the house refused to reject the bill, and it was ordered printed.

M. Lawson introduced H. B., No. 45, a bill supplementary to an act known as the specific contract act, which was read a first time, and ordered printed.

Mr. Fay introduced H. B., No. 40; a bill to amend an act to organize the militia, which was read a first time, and ordered printed.

Mr. McCornack introduced H. B., No. 4; a bill relating to school funds, which was read a first time, and the printing dispensed with.

S. B., No. 4; a bill to change the boundaries of Jackson county, was read a first time

On motion of Mr. Underwood,

The rules were suspended by the following vote, and the bill read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Hogue, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—29.

Nays—None.

On motion of Mr. Hogue,

The bill was referred to the committee on counties.

S. B., No. 5; a bill for the relief of Charles B. Fisher and Joseph E. Street, was read a first time, and passed to a second reading.

S. B., No. 11; a bill to amend an act to regulate civil procedure

in justices' courts, was read a first time, and passed to a second reading.

S. B., No. 16; a bill for the relief of the sheriff of Douglas county, was read a first time, and passed to a second reading.

Mr. Underwood moved that when the house adjourn, it adjourn till to-morrow morning at 10 o'clock.

On motion of Mr. Lane,

The house adjourned.

WEDNESDAY, December 13, 1865.

The house met at 10 o'clock, A. M.

Absent: Messrs. Cartwright, Colt, Hacker, Ireland, Peirce, Songer and Thornton.

Prayer by the Rev. Mr. Boyakin.

The journal of yesterday was read and approved

Mr. Speaker presented a petition from A. Kyger and 26 others, praying for the annexation of Walla Walla county, W. T., to Oregon, which was read, and on motion referred to the committee on federal relations.

Mr. Hogan presented the petition of F. Adams and 92 others, praying the annexation of Walla Walla county, W. T., to the state of Oregon, which was read a first time, and on motion, referred to the committee on federal relations

Mr. Murphy presented the petition of Samuel Welch and 106 others, praying the repeal of the specific contract law, which was read, and on motion of Mr. Thornton, was referred to a select committee of three.

The chair appointed on said committee, Messrs. Thornton, Murphy and Wakefield.

Mr. Murphy presented the petition of Samuel Welch and ninety others, praying for the passage of a registration law, which was read, and on the motion of Mr. Wakefield, was referred to the joint judiciary committee.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 13, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has concurred with the house in the adoption of H. J. R., No. 11, in reference to joint convention at 3 P. M. to-

day. Also, that the senate has indefinitely postponed H. J. M., No. 2, in reference to United States bonds. Also, that S. J. R., No. 4, in reference to the assassination of President Lincoln, has been reported "truly enrolled," and is herewith transmitted for your signature.

J. C. PEEBLES,

Chief Clerk.

Mr. Speaker announced that he had signed S. J. R., No. 1, adopting the amendment to the constitution of the United States, abolishing slavery. Also, S. J. R., No. 2, relative to the adjournment of the legislature over thanksgiving day.

Mr. Underwood offered the following resolution :

HOUSE JOINT RESOLUTION, NO. 12.

Resolved by the House, the Senate concurring, That there be a joint judiciary committee, composed of the judiciary committees of both houses, and all business heretofore referred to such committee by either house shall be acted on by the same.

On motion to adopt the resolution, the yeas and nays being called, resulted as follows :

Yeas—Messrs. Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—30.

Nays—None.

So the resolution was adopted.

Mr. Tate, from the committee on engrossed bills, submitted the following report :

REPORT.

MR. SPEAKER—Your committee on engrossed bills would report that they have examined H. B., No. 4, and H. B., No. 8, and report them correctly engrossed.

J. P. TATE,

Chairman.

Mr. Warner submitted the following report :

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined S. J. R.'s, No.'s 1 and 2, H. J. R.'s, No.'s 1 and 6, and H. M., No. 1, and report them correctly enrolled.

ARTHUR WARNER,

Chairman.

Mr. Warner submitted the following report :

REPORT.

MR. SPEAKER—Your committee on enrolled bills have examined H. R.'s, No.'s 6 and 7, and report the same correctly enrolled.

ARTHUR WARNER,
Chairman.

Mr. Underwood submitted the following report :

REPORT.

The judiciary committee, to whom was referred H. B., No. 1, would report by substitute

Your obedient servant,
J. B UNDERWOOD,
Chairman.

Mr. Wakefield submitted the following resolution :

RESOLUTION.

MR. SPEAKER—Your committee, to whom was referred H. B., No. 3, concerning a registry law, after having considered the subject, beg leave to report the same back to the house, recommending that it be referred, with all other bills upon the subject, to the joint judiciary committee.

L. H. WAKEFIELD,
Chairman.

On motion,
The report was adopted.

Mr. Hogue submitted the following report :

REPORT.

MR. SPEAKER—The select committee, to whom was referred the petition of O. Humason, John T. Jeffries and others, asking that the salary of the county judge of Wasco county be reduced from \$1,200 to \$600 per annum, would most respectfully submit the following report :

REPORT.

Upon examination of said petition, we find, that it sets forth that the actual time required by said judge in the discharge of his official duties, to be about thirty-six days in the year, and claims that \$16 66 per day is sufficient compensation, being equivalent to \$600 per annum for such number of days service.

Whilst we agree with the petitioner that the sum of \$600 is sufficient compensation for thirty-six days service, we know, of our own knowledge, that more than thirty-six days time is required of said judge in the performance of his official duties, and the same will be apparent to your honorable body, when you will understand that said judge is not only county judge, but also judge of probate and president of the board of county commissioners, the duties of either position requiring as much time, in the efficient discharge of the same, as is required in the especial duties of county judge, and for which there is no additional compensation, which, corresponding with the statement of the petition, that thirty-six days time in the discharge of his duties as county judge, would require for the duties of the three several positions combined, one hundred and eight days in the discharge of the duties of the same; which as we believe, is about the time (if not less) actually required of said judge, for such time and service, we consider \$600 insufficient, and that \$1,200 is but a fair, reasonable compensation

We would also represent, that upon the further examination of the petition, we conclude said petition as has been represented by persons signing the same to one of your committee, that it was circulated and signed under a misrepresentation of fact, and that said petition originated from personal and political feeling, and not from a desire to benefit public good, or the county of Wasco in particular.

And upon the examination of the signatures to said petition, with two or three exceptions, that it is exclusively signed by persons who are politically opposed to the present county judge of Wasco

And to show the spirit of, and character of some of the petitioners, we find the signature of one person twice, and another three times on said petition, and, as we believe, names of persons, whom, if ever in Wasco county, are not now, nor ever have been citizens of said county

Relative to Grant county being cut off from Wasco, or a part that was originally in Wasco, lessening the population, yet, whilst, true, it being so far distant from the county seat, Dalles City, there never was any amount of business in the county court, or before the county judge from that portion of the county, hence, by cutting off said portion of the county, it has not affected the duties of this officer but very little, and to-day, his duties are greater, and require more time than they did one or two years ago, from the fact of an increase of population and an unusually dull season of business, and hard times in said county of Wasco, litigation and legal business has increased, thereby requiring more time for the discharge of the duties of said officer

Therefore, in consideration of the above representations, we

recommend that the prayer of the petitioners be not granted.

H. A. HOGUE,

Chairman Committee

On motion, the report was adopted.

H. B., No. 1; a substitute reported by the committee for H. B., No. 1; a bill to amend section 653 of an act entitled an act to provide a code of criminal procedure, and to define crimes and their punishments, was read a first time, and ordered printed.

Mr. Speaker announced that he had signed H. R.'s, Nos 1, 6 and 7, and also H. J. R.'s, Nos. 1, 2 and 6; and also H. M., No. 1.

Mr. Wakefield offered H. J. R., No. 13; relative to carrying the mails from Lincoln, California, to Portland, Oregon.

On motion of Mr. Underwood,

The resolution was referred to the committee on federal relations.

Mr. Lawson offered H. J. R., No. 14; relative to the status of the negro.

On motion of Mr. Cartwright,

The resolution was referred to a select committee of five, by the following vote:

Yeas—Messrs. Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, McCornack, McCartney, Murphy, Shipley, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Bowlby, Cox, Fay, Hogue, Holman, Lane, Lawson, Otey, Parker, Peirce, Powell, Perkins, Quick and Wakefield—15.

The chair appointed on said committee, Messrs. Cartwright, Bowlby, Lawson, Tate and Underwood.

Mr. Underwood moved that the rules be suspended so that H. B., No. 6; a bill in relation to public instruction, might be read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Cox, Fisher, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Fay, Gillette, Lane, Tate and Thornton—5.

So the rules were suspended, and the bill read a second time by its title, and on motion of Mr. Thornton, referred to the joint committee on education.

On motion,

The house adjourned.

AFTERNOON SESSION

The house met pursuant to adjournment.

Absent: Messrs. Bowlby, Cartwright, Hacker, Ireland, Quick, Songer and Warner.

Mr. Speaker announced that he had signed S. J. R., No. 4.

Mr. Underwood moved that the rules be suspended, so that H. B., No. 8; a bill to provide for the registration of voters, should be read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—29.

Nays—Messrs. Fay and Lane—2.

So, the rules were suspended, and the bill read a second time by title, and,

On motion of Mr. Parker,

It was referred to the judiciary committee.

On motion of Mr. Chaplin,

The rules were suspended by the following vote, and H. B., No. 9, "A bill to incorporate the town of LaGrande," was read a second time by title.

Yeas—Messrs. Bowlby, Callison, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall and Fay—2.

On motion of Mr. Murphy,

The bill was referred to the committee on corporations.

H. B., No. 13, "A bill for the protection of game," was read a second time.

Mr. McCornack moved the following amendment:

AMENDMENT.

Strike out the words "or elk," in the first line printed copy; and after the word "year," in second line printed copy, insert "or elk between the first day of January and the first day of May following of each year"

Which amendment was adopted.

Mr. Quick moved to amend by striking out the word "deer,"

in the first line of the printed copy; which amendment was, on motion, laid on the table.

On motion,

The bill was ordered engrossed and to a third reading tomorrow.

H. B., No. 14, "A bill to prohibit the amalgamation of the races, and to punish persons violating this act," was read a second time and referred to the joint judiciary committee.

H. B., No. 15, "A bill to amend the charter of the city of Albany," was read a second time, and referred to the committee on corporations.

The following message was received from the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 13, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying bills: S. B., No. 5; S. B., No. 7; S. B., No. 13; S. B., No. 14; S. B., No. 15, and they are herewith transmitted and the concurrence of the house requested. Also, that the president has signed S. J. R., No. 1, and S. J. R., No. 2.

J. C. PEEBLES,
Clerk Senate.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 13, 1865. }

MR. SPEAKER—I am directed by the president to inform you that he has signed H. J. R.'s, No. 1, 2 and 6, and H. M., No. 1, and they are herewith returned to the house.

J. C. PEEBLES,
Chief Clerk.

H. B., No. 16; a bill to prevent fraudulent assignment in trust for creditors, etc., was read a second time, and referred to the judiciary committee.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 13, 1865. }

MR. SPEAKER—I am directed by the president to inform you that senate joint resolutions, No's. 3, 5, 6 and 7 have been reported, truly enrolled, and they are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk Senate.

Mr. Speaker announced that he had signed S. J. R's, No's. 3, 5, 6 and 7.

H. B., No 17; a bill to organize a board of state auditors, was read a second time.

Mr. Fay offered the following amendment.

AMENDMENT

SECTION —. That if the state treasurer shall be guilty of any misapplication of the public moneys in his hands, or shall apply any of the public moneys to his own use, or shall permit any other person or persons to apply the same to his or their use, or shall make false or fraudulent entries in his books, or shall in any other way violate the provisions of this, or any other act regulating his office, he shall, upon conviction thereof, be punished by imprisonment in the penitentiary for a term, not less than ten, nor more than twenty years, and by fine not less than ten, or more than fifty thousand dollars.

The amendment was rejected.

On motion,

The bill was referred to the judiciary committee.

On motion,

The house took a recess till 3 o'clock.

The house was called to order at 3 o'clock, at which time the senate met the house in joint convention, and were called to order by the president of the senate.

JOINT CONVENTION.

Present.—Messrs. Caldwell, Cornelius, Chrisman, Cranston, Curl, Donnell, Frazer, Grim, Hinsdale, Hovey, Palmer, Pyle, Wagner, Watson, Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner, Mr. Speaker and Mr. President—49.

Mr. President announced that nominations for penitentiary commissioner were in order.

Messrs. B. F. Whitson, of Marion county;
Geo. H. Atkinson, of Multnomah county; and
O. Dickinson, of Marion county, were put in nomination.

Those voting for Mr. Whitson were:

Messrs. Chrisman, Cranston, Curl, Donnell, Frazer, Grim, Wagner, Callison, Cartwright, Glass, Holman, Otey, Powell, Perkins, Smith, Thornton and Underwood—17.

Those voting for Mr. Atkinson, were:

Messrs. Cornelius, Hinsdale, Hovey, Palmer, Pyle, Watson, Bowlby, Chaplin, Fisher, Gingles, Hogue, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Quick, Shipley, Tate, Turner, Wakefield, Wasserman, Warner, Mr. Speaker and Mr. President—26.

For Mr. Dickinson:

Mr. Gillette—1.

Those voting blank were:

Messrs. Caldwell, Beall, Cox, Fay and Lane—5.

Absent: Messrs. Ballard, Eddy, Greenwood, Colt, Hacker, Ireland and Songer—7.

Necessary to a choice—25.

Mr. Atkinson, having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Gillette,
The convention adjourned *sine die*.

The house met according to order, and resumed business at 3:25 o'clock, P.M.

H. B., No. 18; a bill providing for the transfer of certain funds from the military to the general fund, was read a second time, and referred to the committee on military affairs.

H. B. No., 19; a bill to regulate roads and highways, was read a second time, and referred to the committee on roads and highways.

Mr. Fay moved that the rules be suspended so that H. B., No. 20, a bill providing for the removal of negroes, etc., might be read a second time by title.

Yeas—Messrs. Beall, Cox, Fay, Fisher, Gingles, Hogue, Lane, Powell, Perkins, Smith, Shipley, Tate, Thornton, Wakefield, and Mr. Speaker—16.

Nays—Messrs. Callison, Chaplin, Gillette, Lawson, McCornack

nack, McCartney, Murphy, Parker, Peirce, Quick, Turner, Underwood and Warner—13.

So the motion was refused.

H. B., No. 20. was read a second time, and Mr. Underwood offered the following amendment, which was adopted :

AMENDMENT.

MR. SPEAKER—I move to strike out of section 4, all after the word “shall,” in second line, printed copy, to and including the word “imprisonment,” in fourth line printed copy; also, strike out of said section, words “and if, and of,” fourth line, and all of lines five and six in section 4.

Mr. Lawson offered the following amendment :

AMENDMENT.

Amend section 6—insert after the word “kanaka,” on the first line, the words “guerilla or bushwhacker;”

Which amendment was accepted by the author of the bill, Mr. Fay.

Mr. Gillette offered the following amendment :

AMENDMENT.

Add to fifth line, section 3, as follows: “and any sheriff so removing such person or persons, shall provide such person or persons with as comfortable home or homes as those from which such person or persons may have been removed, *Provided*, That such sheriff, so removing such person or persons, shall be held responsible for all damages incurred by such removal.”

On a motion to adopt the amendment, the yeas and nays being called, resulted as follows :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Turner, Underwood, Wakefield, Wasserman, and Warner—23.

Nays—Messrs. Beall, Cox, Fay, Lane, Otey, Quick, Smith, Shipley, Taté, Thornton and Mr. Speaker—11.

So the amendment was adopted.

Mr. Bowlby offered the following amendment :

AMENDMENT.

After the word “kanaka,” in the second line, section 3, “and

all those who were engaged in the rebellion against the United States."

Which amendment was adopted by the following vote :

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, Murphy, Parker, Peirce, Powell, Quick, Shipley, Tate, Underwood, Wakefield, Wasserman and Warner—24.

Nays—Messrs. Beall, Cox, Fay, Lane, Otey, Perkins, Smith, Tate, Thornton and Mr. Speaker—10.

On motion of Mr. Parker,

The bill was indefinitely postponed by the following vote :

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, Lawson, McCornack, Murphy, Parker, Peirce, Powell, Quick, Thornton, Wakefield, Wasserman and Warner—19.

Nays—Messrs. Beall, Cox, Fay, Hogue, Lane, McCartney, Otey, Perkins, Smith, Shipley, Tate, Turner, Underwood and Mr. Speaker—14.

On motion,

The house adjourned till 9 o'clock A. M., to-morrow.

THURSDAY, December 14, 1865.

The house met pursuant to adjournment.

Absent : Messrs. Bowlby, Chaplin, Colt, Fay, Hacker, Hogue, Ireland, Lawson, Songer, Turner, Wakefield and Wasserman.

The journal of yesterday was read and approved

Mr. Speaker announced to the house that Mr. Turner, the assistant clerk, was ill, and in consequence had sent in his resignation ; which was accepted without objection, and the office declared vacant by the chair.

Mr. Underwood moved that the house now proceed to the election of an assistant clerk, to fill the vacancy occasioned by the resignation of Mr. Turner ; which motion was withdrawn.

On motion of Mr. Fay,

The election of an assistant clerk was made the special order for 2 o'clock this afternoon.

Mr. Warner submitted the following report :

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined S. J. R.'s, No.'s 3, 5, 6, 7 and 10, and S. J. M., No. 1, and H. J. R.'s, No.'s 8 and 11, and report them correctly enrolled.

ARTHUR WARNER,
Chairman.

Mr. Tate, from the committee on engrossed bills, submitted the following report:

REPORT.

MR. SPEAKER—Your committee on engrossed bills, having examined H. B., No. 13, would report the same correctly engrossed.

J. P. TATE,
Chairman

Mr. Cartwright submitted the following report:

NOTICE.

MR. SPEAKER—The committee on corporations, to whom was referred H. B., No. 9, beg leave to report the same back to the house, with a recommendation that it do pass.

J. C. CARTWRIGHT,
Chairman Committee on Corporations.

Mr. Bowlby submitted the following report:

REPORT.

MR. SPEAKER—I am instructed by the committee on claims to report H. B., No. 32, back to the house, with a recommendation that it pass.

W. BOWLBY,
Chairman.

Mr. Cartwright submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred house joint resolution, No. 14, beg leave to report that they have had the same under consideration, and recommend that the same do pass.

J. C. CARTWRIGHT,
Chairman

Dec. 14, 1865.

On motion of Mr. Underwood,
The report was adopted.

Mr. Warner moved that H. J. R., No. 14, relative to the status of the negro, be indefinitely postponed.

Yeas—Messrs. Fisher, McCornack, Otey and Warner—4.

Nays—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Gillette, Glass, Hogue, Lane, Lawson, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wasserman and Mr. Speaker—27.

On motion,

H. J. R., No. 4, was adopted by the following vote :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Glass, Gingles, Hogue, Lawson, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wasserman and Mr. Speaker—23.

Nays—Messrs. Beall, Cox, Fay, Fisher, Gillette, Lane, McCornack, Otey, Wakefield and Warner—10.

On motion of Mr. Underwood,

The vote by which H. J. R., No. 14, was adopted, was reconsidered by the following vote :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Perkins, Smith, Tate, Turner, Thornton, Underwood, Wakefield and Wasserman—21.

Nays—Messrs. Beall, Cox, Fay, Fisher, Hogue, Lane, Parker, Peirce, Powell, Quick, Shipley, Warner and Mr. Speaker—13.

On motion of Mr. Tate,

H. J. R., No. 14, was re-committed to the same committee, by the following vote :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, McCornack, McCartney, Otey, Powell, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—22.

Nays—Messrs. Beall, Cox, Fay, Hogue, Lane, Lawson, Parker, Peirce, Perkins, Quick and Shipley—11.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 14, 1865. }

MR. SPEAKER—I am directed by the president to inform you

that the senate has passed the accompanying bill, S. B., No. 22; a bill to amend an act entitled an act relating to assessors, and the concurrence of the house is requested.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 14, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B., No. 12, and the concurrence of the house is requested. Also, that the senate has passed H. B., No. 11, and the same is herewith transmitted to the house for enrollment.

J. C. PEEBLES,
Chief Clerk Senate.

The following was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 14, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. J. M., No. 1, and S. J. R., No. 10, have been reported truly enrolled, and they are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker announced that he had signed H. J. R., No. 11, and S. J. M., No. 1

H. B., No. 21; a bill to amend an act entitled an act to provide a code of criminal procedure, and to define crimes and their punishments, was read a second time.

On motion of Mr. Quick,

The bill was referred to the joint judiciary committee.

H. B., No. 22; a bill to amend an act to regulate the civil and criminal procedure in justices' courts, approved Oct. 21, 1864, was read a second time, and

On motion of Mr. Fay,

Was referred to the joint judiciary committee.

H. B., No. 23; a bill to amend an act entitled an act to provide a code of civil procedure, was read a second time, and

On motion of Mr. Underwood,
Was referred to the joint judiciary committee.

H. B., No. 24; a bill to repeal an act organizing the militia,
was read a second time, and

On motion of Mr Underwood,
Was referred to the committee on military affairs.

H. B., No. 26; a bill to regulate the practice of medicine, was
read a second time, and

On motion of Mr. Cox,

The bill was indefinitely postponed by the following vote:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox,
Fishier, Gillette, Glass, Holman, Lane, McCartney, Murphy,
Powell, Smith, Shipley, Tate, Wakefield, Wasserman and War-
ner—19.

Nays—Messrs. Beall, Gingles, Hogue, McCornack, Otey, Par-
ker, Peirce, Perkins, Quick, Turner, Thornton, Underwood
and Mr. Speaker—14.

On motion,

The house adjourned till 2 o'clock, p. m.

AFTERNOON SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Bowlby, Colt, Hacker, Ireland, Smith and
Songer.

Mr. F. M. Wadsworth tendered his resignation of the office of
engrossing clerk, which was accepted by the house.

On motion,

The house proceeded to elect an assistant clerk, to fill the
vacancy occasioned by the resignation of Mr. Turner.

F. M. Wadsworth was put in nomination, and elected by accla-
mation, without a dissenting vote

On motion,

The house proceeded to elect an engrossing clerk to fill the
vacancy occasioned by the resignation of Mr. Wadsworth.

Mr. Henry S. Herman was put in nomination.

The vote being taken by acclamation, Mr. Herman was elected
without a dissenting vote.

Mr. Wadsworth and Mr. Herman were duly sworn into office
by the Hon. Samuel E. May, secretary of state.

H. B., No. 27; "A bill to legalize certain acts of J. B. Underwood, a notary public," was read a second time.

On motion of Mr. Wasserman,

The bill was considered engrossed, and ordered to a third reading to-morrow.

H. B., No. 28; "A bill to regulate quartz mining claims," etc., was read a second time, and referred to a select committee of five.

The chair appointed on said committee, Messrs Fay, Chaplin, Hogue, Cox; and,

On motion of Mr. Underwood,

Mr. Speaker was also made a member of the committee.

H. B., No. 29; "A bill to amend an act relating to the assessment and collection of taxes," was read a second time; and,

On motion of Mr. Wasserman,

The bill was referred to the select committee to whom was referred petitions relative to the specific contract law, to wit: Messrs Thornton, Murphy and Wakefield.

H. B., No. 32; "A bill for the relief of George W. Larison," was read a second time.

Mr. Gillette moved to refer the bill to the committee on military affairs.

Mr. Cartwright moved to amend, so as to refer to a select committee of three; which motion was refused.

Mr. Fay moved that the bill be indefinitely postponed.

Yeas—Messrs. Beall, Cartwright, Cox, Fay, Fisher, Gillette, Lane, Murphy, Otey, Powell and Thornton—11

Nays—Messrs. Bowlby, Callison, Chaplin, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Parker, Peirce, Perkins, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—22.

So the house refused to indefinitely postpone the bill

Mr. Fay moved that the bill be referred to a select committee of five.

Yeas—Messrs. Beall, Cartwright, Cox, Fay, Fisher, Gillette, Glass, Lane, Lawson, Murphy, Otey, Peirce, Perkins, Smith, Turner and Thornton—16.

Nays—Messrs Bowlby, Callison, Chaplin, Gingles, Hogue, Holman, McCornack, McCartney, Parker, Powell, Quick, Shipley, Underwood, Wakefield, Wasserman, Warner and Mr Speaker—18.

So the motion was refused

The question recurring on Mr Gillette's motion,

The bill was referred to the committee on military affairs.

H. B., No. 33; "A bill appropriating money for the payment

of the expense of this legislative assembly," was read a second time; and,

On motion of Mr. Fay,

The rules were suspended by the following vote, the bill considered engrossed and read a third time now:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Wakefield, Wasserman and Mr. Speaker—29.

Nays—None.

So the rules were suspended, the bill was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Wakefield, Wasserman, and Mr. Speaker—28.

Nays—None.

So the bill passed.

On motion of Mr. Murphy.

The rules were suspended by the following vote, and H. B., No. 25, a bill authorizing the erection of mill dams, and for the regulation of mills, was read a second time by title:

Yeas—Messrs. Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Wakefield, Wasserman and Mr. Speaker—26.

Nays—Messrs. Beall and Fay—2.

So the bill was read a second time by title, and

On motion of Mr. Fay,

The bill was referred to the judiciary committee.

Mr. Underwood moved that the order of business be suspended, and that the house take up order No. 4, propositions and motions,

Which motion was adopted.

Mr. Underwood moved that when this house adjourn, it adjourn to meet again to-morrow, at 10 o'clock A.M.

Which motion was adopted

On motion of Mr. Underwood,

The vote by which H. J. R., No. 6, relative to the assassination of President Lincoln was adopted, was reconsidered.

Yeas—Messrs. Bowlby, Callison, Gillette, Glass, Hogue, Hol-

man, McCartney, Murphy, Peirce, Powell, Perkins, Quick, Shipley, Tate, Underwood. Wakefield, Wasserman and Warner—18.

Nays—Messrs. Beall, Chaplin, Cox, Fay, Fisher, Gingles, Lane, Lawson, McCornack, Otey, Parker, Smith, Turner, Thornton and Mr. Speaker—15.

Mr. McCartney offered the following amendment :

AMENDMENT.

Strike out the word "take," and insert "suffered to be taken "

The amendment was accepted by Mr. Lane, the mover of the resolution.

Mr. McCartney offered the following amendment :

AMENDMENT.

Strike out all after the word "deed," and insert the following:

"And while we pronounce the assassination as one of the most foul and damnable, that has ever blackened the page of history, we recognize in it. the ruling spirit of the rebellion, exerting itself even in death, and cannot but regard it as in a great measure the legitimate result of the teachings and conduct of Jefferson Davis, his co-adjutors and apologists, in inaugurating and prosecuting said rebellion."

After considerable discussion, Mr. McCartney withdrew the amendment.

Mr. Underwood renewed the amendment, pending which, the house adjourned.

FRIDAY, December 15, 1865.

The house met at 10 o'clock, A. M.

Absent : Messrs. Bowlby, Callison, Colt, Hacker, Ireland, Songer and Wakefield.

Prayer by the Rev. O. Dickinson.

The journal of yesterday was read, corrected and approved.

The question being on the amendment of H. R., No 6 ; relative to the assassination of President Lincoln, pending at the time of adjournment,

Mr. Underwood moved the previous question, which was ordered.

The question being on the adoption of the amendment, Mr.

Fay called for the yeas and nays, which was seconded by Mr. Beall.

Yeas—Messrs. Bowlby, Callison, Fisher, Gillette, Glass, Gingles, Hogue, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman and Warner—22.

Nays—Messrs. Beall, Chaplin, Cox, Fay, Holman, Lane, Lawson, Otey, Perkins, Thornton and Mr. Speaker—11.

So the amendment was adopted.

The question being on the adoption of the resolution as amended, resulted as follows:

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Beall, Cox, Fay, Gillette, Lane, Perkins and Thornton—7.

So the resolution as amended, was adopted.

Mr. Underwood offered the following report:

REPORT.

MR. SPEAKER—I am instructed by the J. J. Com., to report back to the house, H. B., No. 3, with a recommendation that it do not pass.

J. B. UNDERWOOD,
Chairman Joint Committee.

Mr. Underwood submitted the following report:

REPORT.

MR. SPEAKER—I would report that the joint judiciary committee have had under consideration H. B., No. 17, and have instructed me to report the enclosed substitute.

J. B. UNDERWOOD,
Chairman Judiciary Committee.

Mr. Underwood submitted the following report:

REPORT.

MR. SPEAKER—The joint judiciary committee instruct me to report back to the house H. B., No. 21, with a recommendation that it do pass, with the following amendments.

J. B. UNDERWOOD,
Chairman Judiciary Committee.

AMENDMENTS.

FIRST AMENDMENT:

Fill first blank in line — in section 547, with "twenty-five."

On motion,

The amendment was adopted

SECOND AMENDMENT:

Fill second blank in line — in section 547, with "one hundred."

On motion,

The amendment was adopted.

THIRD AMENDMENT:

That section 550 be, and the same is hereby repealed, and the following enacted in place thereof:

"SEC. 550. If any person shall commit the crime of larceny by stealing any horse, gelding, mare, mule, ass, jenny or foal, bull, steer, cow, calf, hog or sheep, such person, upon conviction thereof, shall be punished by imprisonment in the penitentiary not less than one, nor more than fifteen years."

On motion,

The amendment was adopted.

On motion,

The bill was ordered engrossed and to a third reading tomorrow.

Mr. Otey submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred S. B., No. 4, after giving the same a careful consideration, a majority of your committee would respectfully recommend that the bill do pass.

OTHEY,

Chairman Committee.

Mr. Beall submitted the following minority report:

REPORT.

The undersigned, a minority of the committee on counties, to whom was referred S. B., No. 4, begs leave to submit the following minority report.

The undersigned says:

1. That the annexation proposed by said bill is not required by the citizens of Jackson county or by the persons residing in

the territory proposed to be annexed, and that no petitions for that purpose have been presented to this legislative assembly;

2. That there is not a single white settler in said tract proposed to be annexed, except those who are employed at Fort Klamath;

3. That in the opinion of the undersigned, the whole number of citizens in and around Fort Klamath, does not exceed twenty-five persons;

4. That these persons are all in the employ of the military, and governed by its laws.

5. That there are not enough civilians in said tract to do the necessary county work, as building roads, etc. That there are not enough of said persons to fill the necessary county offices for that part of the county, if annexed, even if they were not disqualified in consequence of being in the employ of the United States government;

6. That in consequence thereof, the proposed annexation would cause the imposition of an unjust and unnecessary burden on the people of Jackson county;

7. That the whole object of the bill is for the purpose of furthering the political aggrandizement of a few politicians in Jackson county, and that the people have neither been consulted, nor have they requested such annexation:

For these reasons, the undersigned recommends that S. B., No. 4, be indefinitely postponed.

Dec. 15, 1865.

T. F. BEALL.

Mr. Underwood submitted the following report:

REPORT.

MR. SPEAKER—The joint judiciary committee instruct me to report back to the house H. B., No. 25, a bill authorizing the erection of mill dams, and for the support and regulation of mills, be ordered engrossed, and to a third reading to-morrow.

Mr. Hogue moved the following amendment to H. B., No. 25:

AMENDMENT.

MR. SPEAKER—I offer the following amendment to section 29, of H. B., No. 25; that between the words "that nothing," in the printed bill, in line 3, the following words be inserted, "Steam mills may take toll for grinding and bolting, one-sixth; for grinding without bolting, one-eighth, and that," etc., which will then read as follows:

"That steam mills may take toll, for grinding and bolting, one-sixth, for grinding without bolting, one-eighth, and that," etc.

A. H. HOGUE

After considerable discussion, Mr. Lawson offered the following as an amendment to Mr. Hogue's amendment:

AMENDMENT.

"This act shall not be considered as regulating the rates of toll of steam mills."

Mr. Hogue withdrew his amendment and accepted Mr. Lawson's as an amendment to the bill;

Which amendment was lost on division—11 to 16.

Mr. Hogue renewed his amendment, which, on motion to adopt, was refused.

Mr. Otey offered the following amendment:

AMENDMENT.

Section 29, lines 5 and 6, strike out "provided that the provisions of this section shall apply only to the custom work of the mill."

Mr. Underwood moved the following amendment:

AMENDMENT.

"Strike out section 30."

Mr. Fay moved the following amendment:

AMENDMENT.

"Strike out all after the enacting clause."

Pending Mr. Fay's motion, the house adjourned till 2 o'clock,
P. M.

AFTERNOON SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Colt, Gingles, Hacker, Ireland and Songer.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 14, 1865. }

MR. SPEAKER—I am directed by the president, to inform you that the senate has passed the accompanying bill, S. B., No. 9; a bill to amend an act entitled an act to provide for the collection of taxes, and to repeal an act, approved Oct. 19, 1860, and the same is herewith transmitted for the concurrence of the house.

J. C. PEEBLES,
Chief Clerk.

Mr. Fay's motion to strike out of H. B., No. 25, all after the enacting clause, was taken up, and the house refused to adopt the motion.

Mr. Fay moved the following amendment:

AMENDMENT.

SECTION 7. The person or persons who shall obtain a right under the provisions of this act, to construct any dam, or dig any head or tail race or races, shall keep the said dam, race or races in good repair, and if any damage ensue after the construction of said dam or races, either by overflow, or by the washing away of the soil composing the banks of said races, or otherwise, the person or persons claiming such right, shall be liable for all damages arising from such causes.

On motion of Mr. Murphy,

H. B., No. 25, was re-committed to the joint judiciary committee; on division, 16 to 12.

Mr. Wasserman submitted the following report:

REPORT.

MR. SPEAKER—Your committee to whom was referred H. B., No. 32; a bill for the relief of George W. Larison, beg leave to report that they have had the same under consideration, and find the claims of Mr. Larison just, but believing that all such claims should come up at the regular session, recommend that this and all similar claims be left to (where, in the opinion of your committee, they properly ought to go,) the next regular session of the legislature.

WASSERMAN,
Committee on Military Affairs.

On motion of Mr. Underwood,

The report was adopted,
 On motion of Mr. Underwood,
 The bill was laid on the table
 Mr. Underwood submitted the following report:

REPORT.

MR. SPEAKER—I am instructed by the committee on judiciary to report back to the house H B, No. 16, with recommendation that it do pass.

J. B. UNDERWOOD,
Chairman Judiciary Committee.

On motion of Mr. Underwood,
 H. B., No. 16; "A bill to prevent fraudulent assignment in trust to creditors," etc., was ordered engrossed and to a third reading to-morrow.

Mr. Lawson submitted the following report:

REPORT OF COMMITTEE ON PRINTING.

MR. SPEAKER—Your committee on public printing, being anxious to relieve the suspense of the public as to the time when the completion of the code may be expected, have, at their own instance, investigated that subject, and beg leave to report to this house that the state printer has assured your committee that the work necessary for him to complete, will be done in about thirty days, at which time the printed work will be turned over to the binder. The secretary of state informs your committee that the binder has contracted to deliver to him one hundred copies in ten days thereafter, at which time he will circulate the same, as directed by law, and the remainder as soon as received.

G. W. LAWSON,
Chairman

Mr. Gillette submitted the following report:

REPORT.

MR. SPEAKER—Your committee on federal relations, to whom was referred petitions of citizens of Walla Walla county, in Washington territory, relating to the incorporation of such county into the state of Oregon, submit to the house the accompanying joint memorial, and recommend its adoption.

P. W. GILLETTE,
Chairman Committee on Federal Relations.

H. J. M., No. 3, reported by the committee on federal relations, was read and adopted by the following vote:

Yeas—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Bowlby, Otey, Parker and Peirce—4.

Mr. Gillette submitted the following report:

REPORT.

MR. SPEAKER—Your committee on federal relations, to whom was referred H. J. R., No. 13, have had the same under consideration, and herewith transmit the same, with the accompanying amendment, and recommend its adoption.

P. W. GILLETTE,
Chairman Committee.

Amendment reported by the committee:

AMENDMENT.

Amend by adding after the word "Oregon," (first clause, on second page) as follows:

Provided, That nothing in this resolution shall be so construed as to prevent the contractor to carry the said paper mail, otherwise than is now carried to towns south of Eugene City.

Mr. Gillette moved the adoption of the amendment.

Mr. Fay moved to amend the amendment by striking out the word "prevent," and inserting the word "permit,"

Which amendment, as amended was adopted.

The question recurring on Mr. Gillette's motion,

The amendment was adopted.

The question being on the adoption of H. J. R., No. 13, as amended, resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Wakefield, Wasserman, Warner and Mr. Speaker—33.

Nays—None.

So the resolution was adopted.

Mr. Holman submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. B., No. 19, have had the same under consideration, and beg leave to report the accompanying amendments.

J. S. HOLMAN,

Chairman Com. on Roads and Highways.

On motion of Mr Wakefield,
H. B., No. 19, was re-committed to the committee on roads and highways.

Mr. Thornton submitted the following report:

REPORT.

MR. SPEAKER—The joint committee on education, to whom was referred H. B., No. 6, in relation to public instruction, instruct to report that it be reported back to the house, without recommendation, the committee not having time to examine the said bill.

J. QUINN THORNTON,

Chairman.

Mr. Cartwright submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. B., No. 15, have had the same under consideration, and ask leave to report the same back to the house, with a recommendation that it do pass.

J. C. CARTWRIGHT,

Chairman Com. on Corporations.

On motion of Mr Fay,
The bill was ordered engrossed, and to a third reading to-morrow.

Mr. Thornton submitted the following report:

REPORT.

The special committee, to whom was referred H. B., No. 29, a bill to amend an act relating to the assessment and collection of taxes, passed Jan. 27, 1854, and to repeal an act entitled an act to provide for the disposal of the several kinds of money received into the public treasury, approved Oct. 21, 1864, beg leave to report, that they have had the same under consideration, and beg leave to report that they recommend that section 1 be amended by adding the word "Douglas," after the word "Jose-

phine," in the first section of said bill, and they recommend the passage of the bill, without further amendment.

J. QUINN THORNTON,
Chairman.

On motion of Mr. Parker,

The amendment reported by the committee was adopted on division—15 to 11.

Mr. Underwood moved to amend by striking out "February," and inserting "April,"

Which amendment was refused.

Mr. Tate moved that the bill be indefinitely postponed.

Yeas—Messrs. Bowlby, Cartwright, Gillette, Hogue, Lawson, Peirce, Powell, Quick, Tate, Turner, Wakefield, Wasserman, Warner and Mr. Speaker—14.

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Perkins, Smith, Shipley, Thornton and Underwood—20.

So the house refused to indefinitely postpone the bill

Mr. Hogue offered the following amendment :

AMENDMENT.

Mr. SPEAKER—I offer the following amendment to H. B., No. 29, that the words "any lawful money," fifth line of section 46, printed copy, be stricken out, and the following be inserted in the place thereof—"gold or silver coin."

H. A. HOGUE.

Mr. Powell moved the previous question on the adoption of the amendment.

Messrs. Fay and Lane called for the yeas and nays, on Mr. Powell's motion.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Murphy, Otey, Powell, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Cartwright, Fay, Hogue, Lane, Parker, Peirce, Perkins, Tate and Thornton—10.

So the previous question was ordered.

The question being on the adoption of the amendment, Messrs. Fay and Lane called for the yeas and nays.

Yeas—Messrs. Bowlby, Cartwright, Gillette, Hogue, Lawson,

McCartney, Poiree, Powell, Quick, Shipley, Tate, Turner, Wakefield, Wasserman, Warner and Mr. Speaker.—16

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Holman, Lane, McCornack, Murphy, Otey, Parker, Perkins, Smith, Thornton and Underwood.—18.

So the amendment was lost.

Mr. Underwood moved the following amendment to the bill:

AMENDMENT.

Add "nothing herein contained shall in any way affect the collection of taxes already levied, and made payable in gold and silver coin."

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec. 15, 1865.

MR. SPEAKER—I am directed by the president to inform you that the senate concurs with the house in the adoption of H. J. R, No. 12; in reference to joint judiciary committee, and the same is herewith returned to the house of representatives.

J. C. PEEBLES,

Chief Clerk Senate.

The following message was received from the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec. 15, 1865.

MR. SPEAKER—I am directed by the president to inform you that he has signed H. J. R, No. 9, and H. J. R, No. 11; and they are herewith transmitted to the house. Also, that he has signed S. J. R.'s, No's. 3, 4, 5, 6, 7, and 10. Also, S. J. M, No. 1.

J. C. PEEBLES,

Chief Clerk of the Senate.

Mr. Fay offered the following amendment to the amendment of Mr. Underwood to H. B., No. 29.

AMENDMENT.

"Provided that the gold and silver coin, so levied and collect-

ed, or so much thereof as may be necessary, shall be paid to the justices of the supreme court on their salaries for the year 1865."

The amendment was lost on division—15 to 17.

Mr. Fay moved to lay Mr. Underwood's amendment on the table, which motion was refused.

Messrs Fay and Lane called for the yeas and nays on Mr. Underwood's amendment.

Yeas—Messrs. Callison, Cartwright, Chaplin, Fisher, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Smith, Tate, Thornton and Underwood—19.

Nays—Messrs. Beall, Bowlby, Cox, Fay, Gillette, Hogue, Lane, Perkins, Quick, Shipley, Turner, Wakefield, Wasserman, Warner and Mr. Speaker—15.

So the amendment was adopted.

On motion of Mr. Underwood,

The bill was ordered engrossed, and to a third reading to-morrow.

Mr. Underwood moved that when this house adjourn, it adjourn to meet again to-morrow, at 9 o'clock, A M.

Mr. McCartney moved to amend the motion so as to meet again at 7 o'clock this evening, which amendment was refused.

The question recurring on Mr. Underwood's motion, it was adopted.

On motion,

The house adjourned.

SATURDAY, December 16, 1865.

The house met pursuant to adjournment.

Absent: Messrs. Beall, Colt, Cox, Fay, Hacker, Hogue, Ireland, Lane, Lawson, Murphy, Songer, Thornton, Underwood, Wakefield and Wasserman.

There being no quorum present, the sergeant-at-arms was despatched to bring in the absentees.

The roll being again called, it was found that a quorum was present, there being

Absent: Colt, Hacker, Hogue, Ireland, Songer, Thornton, Wakefield and Wasserman.

Prayer by Rev. Mr. Irving.

The journal of yesterday was read and approved.

Mr. Fay presented the petition of Mr. J. F. Layton, and 134 others, praying a consolidation of Jackson and Josephine counties, which was read, and,

On motion of Mr. Fay,

Laid on the table.

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—The joint committee on enrolled bills, have examined H. J. R.'s, No 15, 8 and 12, and H. B., No 11, and report them correctly enrolled.

ARTHUR WARNER,

Chairman

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—Your committee on enrolled bills, have examined H. R., No 6, as amended, and report the same correctly enrolled.

ARTHUR WARNER,

Chairman

Mr. Holman submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. B., No. 19, having had the same under consideration, beg leave to report the accompanying amendments.

J. S. HOLMAN,

Chairman Committee on Roads and Highways.

The amendments reported by the committee were severally adopted.

On motion of Mr. Gingles,

The bill was ordered engrossed, and to a third reading tomorrow.

Mr. Powell moved that the rules be suspended, and that the house take up the order of business, No. 4, propositions and motions.

Yeas—Messrs Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, McCornack, McCartney, Murphy, Powell, Smith, Tate, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs Beall, Bowlby, Cox, Fay, Holman, Otay, Parker, Perkins, Quick, Shipley, Turner and Thornton.—12.

There not being the requisite number voting in the affirmative, the motion was refused.

Mr. Tate submitted the following report:

REPORT.

MR. SPEAKER—Your committee on engrossed bills would report that they have examined H. B., No. 29, and report the same correctly engrossed.

J. P. TATE,
Chairman.

Mr. Thornton submitted the following report:

REPORT.

The joint judiciary committee, to whom was referred H. B., No. 29; a bill authorizing the erection of mill dams, and for the support and regulation of mills, ask leave to report, that they had the same under consideration, and that they recommend its passage with the accompanying amendments.

UNDERWOOD,
Chairman Judiciary Committee.

The amendments accompanying the report were severally adopted.

Mr. Cartwright submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. J. R., No. 14, beg leave to report, that they have considered the same, and with consent of the mover of the resolutions, made amendments, and do now return the same, and recommend their passage.

J. C. CARTWRIGHT,
Chairman Committee.

Mr. Bowlby moved the adoption of H. J. R., No. 14, on suffrage and the status of the negro.

On motion of Mr. Bowlby,

The previous question was ordered, by a call of the yeas and nays, demanded by Messrs. Fay and Beall.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fisher, Glass, Gillette, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay, Lane, McCornack and Warner—6

The main question being put, that is: Shall the resolution be adopted? resulted as follows:

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield and Mr. Speaker—21

Nays—Messrs. Beall, Cox, Fay, Fisher, Gillette, Glass, Lane, McCornack, Otey, Thornton, Wasserman and Warner—12.

So the resolution was adopted.

Mr. Fay submitted the following report:

REPORT.

To the Honorable the House of Representatives:

Your select committee, to whom was referred H. B., No. 28, beg leave to report the same back with the accompanying amendments, and recommend the passage of the bill as amended.

J. D. FAY,
Chairman

The amendments reported by the committee, to H. B., No. 28, to amend an act entitled "An act to regulate quartz mining claims," etc, were severally adopted.

On motion of Mr. Fay,

The bill was ordered engrossed, and to a third reading tomorrow.

Mr. Thornton, from the select committee, to whom was referred the petition of Samuel Welch and one hundred and six others, offered his report.

Mr. Wakefield asked leave and time to prepare and submit a minority report, which was granted.

Mr. Lawson moved that the reading of the report be suspended, and that the report lie on the table; upon which motion,

Messrs. Fay and Lane demanded the yeas and nays, which resulted as follows:

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Hogue, Lawson, McCartney, Murphy, Parker, Peirce, Powell, Quick, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Callison, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, Otey, Perkins, Smith and Thornton—15.

So the report was laid upon the table.

The following protest was ordered spread upon the journal:

PROTEST.

MR. SPEAKER—We, the undersigned, members of the house of representatives, hereby protest against the action of this body, in reconsidering and so amending house resolution, No. 6, as to render it impossible for us to join, as we should desire, in expressing our sincere regret for the death of our late president, Abraham Lincoln

Because, in the first series submitted to this house, intending to reflect the peculiar sentiments of the majority alone, while in part meeting our heartiest approbation, contained certain things to which, in truth, candor and justice, we could not accede, and were therefore compelled, though in violence to our feelings, to cast our votes in the negative.

And because, in so voting against the series of the majority, our position was liable to an unfair and false construction, we deemed it due ourselves, in vindication of our course, to submit the following resolution, which, with due deference to the over-weening power of the majority, we asked, we hoped might be allowed a place upon the journal of this house, to wit:

Whereas, By the hand of a foul assassin, it has pleased Almighty God, in his infinite wisdom, to call from our midst, and the great field of his labors, Abraham Lincoln, the sixteenth president of the United States, and

Whereas, In Mr. Lincoln we recognized the duly elected chief magistrate of the land; therefore,

Resolved, That we deeply deplore his untimely death, and in unmeasured terms express our indignant condemnation of the atrocious deed of the assassin, the base, unholy motives which actuated, and the heartless and vicious counsel which instigated it

Because, in the action of the majority in reconsidering the vote whereby this resolution was adopted, for the purpose mentioned, we recognize not only an act of discourtesy to the minority, unprecedented in parliamentary usage, but a tyrannical abuse of power to place us in a position in which we might seem to endorse and applaud a deed, which really, in common with every true American, we sincerely deplore and heartily condemn

JAMES D. FAY,
THOMAS F. BEALL,
ISAAC COX,
L. F. LANE.

HOUSE OF REPRESENTATIVES,
Dec. 15, 1865.

Mr. Wasserman, from the select committee, to whom was referred S. J. R., No. 9, proposing certain amendments to the constitution of the state of Oregon, reported the same back to the house without recommendation.

Mr. Underwood moved the adoption of the resolution.

Mr. Fay moved that S. J. R., No. 9, be indefinitely postponed; which motion taking precedence, was first put.

Messrs. Fay and Beall demanded the yeas and nays, which resulted as follows:

Yeas—Messrs. Beall, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Murphy, Otey, Parker, Powell, Perkins, Smith, Tate, Turner, Thornton, Warner and Mr. Speaker—23.

Nays—Messrs. Callison, Cartwright, Hogue, Lawson, Peirce, Quick, Shipley, Underwood, Wakefield and Wasserman—10.

So the resolution was indefinitely postponed.

Mr. Thornton moved that the members be confined to five minutes' time in debate, and that no person be allowed to speak more than twice to any one question.

Mr. Gillette moved the following resolution as a substitute for Mr. Thornton's motion.

RESOLUTION.

Resolved, That no member be allowed to speak more than five minutes, nor more than once on any motion before the house.

Messrs. Lane and Beall demanded the yeas and nays on the adoption of the resolution.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner, Wasserman and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the resolution was adopted.

Mr. Underwood moved that the rules be suspended, and order 6 be taken up.

Engrossed bills read a third time.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—23.

Nays—Messrs. Beall, Cox, Fay, Gillette, Glass, Lane, Otey, Parker, Powell, Perkins and Thornton—11.

So the rules were suspended, and order No. 6, taken up.

H. B., No. 4; a bill to amend an act relating to the granting of licenses to sell spirituous liquors and to the licensing of billiard tables, ball alleys and pedlers; and an act amendatory thereof, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Cartwright, Cox, Fay, Gillette, Hogue, Lane and Murphy—8.

So the bill passed.

H. B., No. 5; a bill for the relief of N. H. Gates; was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Chaplin, Cox, Fay, Fisher, Gingles, Hogue, Holman, Lane, McCartney, Murphy, Otey, Parker, Peirce, Powell, Smith, Tate, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24.

Nays—Messrs. Callison, Cartwright, Gillette, Glass, McCornack, Perkins, Shipley and Turner—8.

So the bill passed.

H. B., No. 10; a bill to improve the breed of sheep, was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

Nays—Mr. Cartwright—1.

So the bill passed.

H. B., No. 9; a bill to incorporate the town of La Grande, was read a third time; the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wasserman and Warner—29.

Nays—None.

So the bill passed.

Mr. Fay moved a call of the house, which was ordered.
Before the call was taken,
On motion of Mr. Wasserman,
The call was dispensed with, and
On motion,
The house adjourned till 2 o'clock, P.M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent: Messrs. Cartwright, Colt, Fay, Hacker, Ireland, Lawson, Songer and Underwood.

H. B., No. 13; a bill for the protection of game, was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Chaplin, Gillette, Glass, Hogue, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Shipley, Turner, Thornton, Wakefield, Wasserman and Mr. Speaker—18.

Nays—Messrs. Callison, Cox, Fay, Fisher, Gingles, Holman, Lane, Otey, Parker, Perkins, Quick, Smith, Tate and Warner.—14.

There not being a constitutional majority voting in the affirmative, the bill was lost.

Upon unanimous consent, Mr. Tate submitted the following report:

REPORT.

MR. SPEAKER—Your committee on engrossed bills would report that having examined H. J. R., No. 13, and H. B's. No's, 16, 21 and 28, correctly engrossed.

J. P. TATE,
Chairman.

On motion of Mr. Bowlby,

It was ordered, that when this house adjourn, it adjourn to meet again this evening at 7 o'clock

H. B., No. 17, a bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances was read a third time.

On motion of Mr. Wasserman,

The bill was committed to a select committee of three, with instructions to amend as follows:

Amend section 1, line 4, printed copy, after the word creditors, "residents of this state."

Mr. Wasserman, from the select committee, to whom was referred H. B., No. 16, reported as follows:

REPORT.

MR. SPEAKER—Your special committee, to whom was referred H. B., No. 16, beg leave to report the same back to the house, with an amendment, and recommend that it do pass.

WASSERMAN,

Chairman

On motion of Mr. Hogue,

The amendment, (reported by the committee, according to this instruction) was adopted.

On motion of Mr. Wasserman, the bill was considered engrossed

The bill was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—None.

So the bill passed.

Mr Speaker announced that he had signed H. R., No. 6, relating to the assassination of President Lincoln.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec. 16, 1865 }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B.'s, Nos. 10, 20, 26, 27, 28 and 34, and they are herewith transmitted for the action of the house; also, that the senate concurs in the adoption of H. J. M., No. 3, in reference to the annexation of Wallawalla county to Oregon, and the same is herewith returned to the house for enrollment.

J. C. PEEBLES,

Chief Clerk Senate.

Mr. Underwood gave notice that on Monday he would introduce a resolution to repeal J. R., No. 11.

H. B., No. 21; a bill to amend an act entitled an act to provide a code of criminal procedure, and to define crimes and their punishments, was read a third time

Mr. Tate moved that the bill be re-committed to a select committee of three, which motion was refused.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker.—32.

Nays—Messrs. Cox and Tate—2.

So the bill passed.

H. B., No 27; a bill to legalize certain acts of J. B. Underwood, a notary public, was read a third time

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—None.

So the bill passed.

By unanimous consent of the house, Mr. Underwood submitted the following report:

REPORT.

MR. SPEAKER—I am instructed by the joint judiciary committee to report H. B., No 22, back to the house, with a recommendation that it do pass..

J. B. UNDERWOOD,
Chairman Joint Committee.

On motion of Mr. Underwood,

H. B., No. 22; a bill to amend an act to regulate the civil and criminal procedure in justice's courts, approved Oct 21, 1864, was considered engrossed.

The bill was read a third time, and the question being, Shall the bill pass? resulted as follows:

Yeas—Messrs Callison, Cartwright, Chaplin, Fay, Fisher,

Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Beall, Cox, and Gillette—3.

So the bill passed.

H. B., No 28; a bill to amend an act entitled an act to establish and regulate quartz mining claims, and in relation to placer claims, town sites, and water rights in mining camps, approved Oct. 24, 1864, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—34.

Nays—None.

So the bill passed.

H. B., No. 27; a bill to amend an act entitled an act to amend an act relating to the assessment and collection of taxes, passed Jan. 27, 1854, and to repeal an act entitled an act to provide for the disposing of the several kinds of money received into the public treasury, approved Oct. 21, 1864, was read a third time.

The question being, Shall the bill pass?

Mr. Lawson called for the previous question; on which Messrs. Lane and Fay called for the yeas and nays.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fay, Fisher, Glass, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Otey, Parker, Peirce, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Beall, Callison, Cox, Gillette, Lane, McCornack, Powell and Thornton—8.

So the previous question was ordered.

Mr. Fay moved to reconsider the vote upon which the previous question was ordered.

Mr. Wasserman moved that Mr. Fay's motion be laid on the table, on which Messrs. Fay and Beall demanded the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Otey, Parker, Pierce, Powell, Perkins, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox, Fay, Lane, McCornack and Thornton—6.

So the motion was laid on the table.

The question recurring upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Holman, McCornack, Murphy, Otey, Parker, Perkins, Smith, Thornton and Underwood—17

Nays—Messrs. Bowlby, Cartwright, Gillette, Hogue, Lane, Lawson, McCartney, Peirce, Powell, Quick, Shipley, Tate, Turner, Wakefield, Wasserman, Warner and Mr. Speaker—17

So the bill was lost.

Mr. Lane moved that the vote by which H. B., No. 29, was lost, be reconsidered.

Mr. Bowlby moved to lay Mr. Lane's motion on the table, on which Messrs. Fay and Beall called for the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Cartwright, Gillette, Gingles, Hogue, Lawson, McCartney, Murphy, Parker, Peirce, Powell, Quick, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—21.

Nays—Messrs. Beall, Chaplin, Cox, Fay, Fisher, Glass, Holman, Lane, McCornack, Otey, Perkins, Shipley and Thornton—13.

So the motion was laid on the table.

S. B., No. 4; a bill to change the boundaries of Jackson county, was ordered to be read a third time.

Mr. Fay moved that the bill be re-committed to the committee on counties.

Mr. Underwood moved to lay Mr. Fay's motion on the table, on which, Messrs. Fay and Beall called for the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Fay, Fisher, Gillette, Glass, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Parker, Powell, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner, Lane and Mr. Speaker—23.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Gingles, Lane, Lawson, Pierce, Perkins, Tate and Thornton—11.

So the motion was laid on the table.

Mr. Fay moved to reconsider the vote by which his motion was laid on the table, on which Messrs. Lane and Fay called for the yeas and nays.

Yeas—Messrs. Beall, Bowlby, Cartwright, Cox, Fay, Gingles, Lane and Powell—8.

Nays—Messrs. Callison, Chaplin, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey

Parker, Peirce, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

So the house refused to reconsider.

S. B., No. 4, was read a third time.

Mr. Fay moved that the majority and minority report from the committee on counties, on this bill be read; and on this motion, Messrs. Fay and Beall called for the yeas and nays.

Yeas—Messrs. Beall, Chaplin, Cox, Fay, Lane, Lawson, Murphy, Otey, Parker, Tate and Mr. Speaker—11.

Nays—Messrs. Bowlby, Callison, Cartwright, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCartney, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman and Warner—23.

So the motion was refused.

Mr. Bowlby moved the previous question, which was ordered.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Fay, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Chaplin, Cox, Gingles, Lane, Tate and Thornton—7.

So the bill passed.

Mr. Bowlby moved that the vote by which S. B., No. 4, was passed, be reconsidered, and that the motion be laid on the table.

Messrs. Fay and Lane called for the yeas and nays:

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox, Fay, Gingles and Lane—5.

So the motion to reconsider was laid on the table.

The house refused to adjourn at 4.12 P.M.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec. 16, 1865.

MR. SPEAKER—I am directed by the president of the senate to

inform you that the senate concur with the house in the passage of H. B., No 9; an act to incorporate the city of La Grande, and the same is hereby returned to the house

J. C. PEEBLES,

Chief Clerk.

S. B., No 8; a bill to amend an act to establish an institution of learning in Polk county, was read a third time.

Mr. Lane moved a call of the house, which was refused, on division, 10 to 13

On motion,

That the title of S. B., No 4, be the title of the act,
Messrs Fay and Cox called for the yeas and nays.

Yeas—Messrs Bowlby Callison, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox, Fay and Lane—4

So the title of the bill was made the title of the act.

The question being on the final passage of S B, No. 8, resulted as follows:

Yeas—Messrs. Bowlby, Callison, Chaplin, Cox, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs Beall, Fay and Lane—3.

So the bill passed.

On motion,

The house adjourned

— EVENING SESSION.

The house met at 7 P. M

Absent: Messrs. Cartwright, Colt, Fay, Hacker, Ireland, Murphy, Songer and Underwood.

On motion of Mr. Quick,

The house proceeded to elect another engrossing clerk.

Mr. Quick put in nomination Mr. George S. Fisher,

Who was elected engrossing clerk by acclamation, without a dissenting vote.

Mr. George S. Fisher was duly sworn into office as an engrossing clerk of this house, by Hon. S. E. May, secretary of state.

The substitute for H. B., No. 1; entitled a bill to amend an act to provide a code of criminal procedure, and to define crimes and their punishments, approved October 19, 1864, was read a second time.

Mr. Hogue offered the following amendment to printed copy of substitute for H. B., No. 1, page 2.

AMENDMENT.

After the word "day," fifth line, section 653, insert the following, to wit: "Between the hours of 10 o'clock, A. M., and 4 o'clock, P. M."

Mr. Gillette offered the following amendment to the amendment offered by Mr. Hogue:

AMENDMENT.

Provided, That no place where intoxicating liquors are sold or drank, or where games of any kind are played, shall be kept open on Sunday.

Which was accepted by Mr. Hogue.

Mr. Parker moved that the amendment be laid on the table.

Mr. Bowlby moved that the amendment to the amendment be laid on the table, which motion was adopted, and the amendment to the amendment was laid on the table.

Mr. Bowlby moved that the amendment offered by Mr. Hogue, be laid on the table, on which question Messrs. Beall and Fay called for the yeas and nays.

Yeas.—Messrs. Bowlby, Callison, Cartwright, Fisher, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays.—Messrs. Beall, Chaplin, Cox, Fay, Hogue and Lane—6.

Mr. Powell moved the following amendment to the bill:

AMENDMENT.

In line 15, page 2, printed copy, strike out "steam boats," which amendment was refused.

Mr. McCornack moved the following amendment to the bill:

AMENDMENT.

In line 15, page 2, printed bill, amend by striking out the words, "travel by steam boat, roads, or any other manner,"
Which amendment was refused.

Mr. Wasserman moved the following amendment:

AMENDMENT.

Amend section 653, paragraph 4, printed copy, by striking out all after the words "telegraph offices,"
Which amendment was adopted.

Mr. Underwood moved the following amendment:

AMENDMENT.

Add, after section 653, paragraph 5, "nothing contained in this section shall, in any way, be construed so as to permit the keeping open any saloon or tippling house, or the selling, or giving away of any spirituous or malt liquors, on the first day of the week, commonly called Sunday."

Which amendment was adopted.

On motion of Mr. Underwood,

The bill was ordered engrossed, and to a third reading to-morrow.

H. B., No. 30; a bill to amend an act to repeal certain statutes of a general nature, with certain exceptions, approved October 24, 1864, was read a second time, and

On motion of Mr. Fay,

Was ordered engrossed, and to a third reading, on Monday next.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec 16, 1865.

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B., No. 23, for relief of S. Rigdon; also, that the senate has concurred in the passage of H. B., No. 33, to appropriate money for the payment of the legislative assembly, and the same are herewith transmitted.

J. C. PEEBLES;

Chief Clerk Senate.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December, 16, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B., No. 18; an act to authorize the city of Portland to lay out streets, etc.; also, H. B., No. 10, an act to improve the breed of sheep; also, H. J. R., No. 13, in reference to mail facilities, has been concurred in by the senate, and all are herewith transmitted to the house.

J. C. PEEBLES,
Chief Clerk Senate.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec 16, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed the accompanying bills, S. B.'s, Nos. 31 and 32, and the concurrence of the house is requested.

J. C. PEEBLES,
Chief Clerk.

H. B., No. 31; a bill to protect fair grounds, was read a second time, and

On motion of Mr. Holman,

Was ordered engrossed, and to a third reading, to-morrow

H. B., No. 34; a bill to repeal an act entitled an act to enforce the specific performance of certain contracts, approved Oct. 13, 1864, was read a second time, and

On motion of Mr. Thornton,

It was ordered to be engrossed, and to a third reading to-morrow.

H. B., No. 35; a bill to prevent persons from hunting or shooting game of any kind within the enclosure of other persons, without the consent of the owner, was read a second time

Mr. Underwood moved the following amendment:

AMENDMENT

Strike out of line first, section 1, printed copy, the words, "upon the premises, or;"

Which amendment was adopted.

Mr. Fay moved that the bill be indefinitely postponed; on

which motion, Messrs. Fay and Lane demanded the yeas and nays

Yeas—Messrs. Beall, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Otey and Smith—13

Nays—Messrs. Bowlby, Callison, Cartwright, Chaplin, Hogue, Lawson, Parker, Peirce, Powell, Perkins, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—20.

So the house refused to indefinitely postpone the bill.

Mr. Underwood moved the following amendment to the bill.

AMENDMENT.

In sixth line, section 2, printed copy, strike out the words, "premises, or;" which amendment was adopted.

Mr. Powell moved the following amendment:

AMENDMENT.

Fill the first blank, in line 3, section 2, with "twenty-five." Fill second blank, in same line, with "five;" which amendments were severally adopted

Mr. Wasserman moved the following amendment:

AMENDMENT.

Amend section 2, strike out all of line 4, printed copy; which amendment was adopted

On motion of Mr. Underwood.

The bill was ordered engrossed, and to a third reading, tomorrow.

H. B., No. 36, a bill to amend an act relating to common schools, approved Oct. 17, 1862, was read a second time, and

On motion of Mr. Powell,

To refer the bill to a select committee of three, was refused.

Mr. Lawson moved the following amendments:

AMENDMENTS.

"Strike out section 1 of the bill;" add to sub-division 2, of section 3, of the bill, the words, "and upon the taxable property of all non-residents;" add at the end of the bill: "Section 11, of sub-

jects under the head of school districts is repealed; and the following enacted in lieu thereof":

SECTION 11. "District meetings legally called, shall have power to levy a tax on all the real and personal property in their district, and make any necessary appropriations for the support and benefit of schools; also, adjourn from time to time, and to supply all vacancies in their district offices: *Provided*, a majority of the legal voters present so decide."

Which amendments were severally adopted.

On motion of Mr. Lawson,

The bill was ordered engrossed, and to a third reading, to-morrow.

H. B., No. 37; A bill to amend an act relating to pilotage, etc., was read a second time, and

On motion of Mr. Wakefield,

Referred to a select committee of three

The chair appointed on said committee, Messrs. Wakefield, Gillette and Cartwright

H. B., No. 38, a bill to prevent trespassing of certain domestic animals therein named, was read a second time, and Mr. Fisher moved that the bill lay on the table, which motion was refused on division, 12 to 13.

On motion of Mr. Thornton,

The bill was ordered engrossed, and to a third reading, to-morrow.

H. B., No. 39; a bill to amend an act to prevent the spread of contagious and infectious diseases among domestic animals, was read a second time, and

On motion of Mr. Underwood,

Was ordered to be engrossed, and to a third reading to-morrow.

H. B., No. 40; a bill to prevent cattle stealing, was read a second time, and

On motion of Mr. Underwood,

Was laid on the table, on division, 22 to 5.

H. B., No. 41; a bill in relation to bounties to volunteers, was read a second time.

Mr. Underwood moved the following amendment:

AMENDMENT.

Add "and 1st regiment, Oregon cavalry," after the word "infantry" in fifth line, section 1, printed copy.

On which amendment, Messrs. Fay and Lane demanded the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack,

McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Warner—29

Nays—Messrs Beall, Cox, Fay and Lane—4

So the amendment was adopted.

On motion of Mr. Lawson,

The bill was ordered engrossed, and to a third reading, to-morrow

H. B., No. 42; a bill to amend section 5 of an act creating offices, and providing for the government of the penitentiary, approved Oct. 21, 1864, was read a second time, and

On motion of Mr. Underwood,

Was ordered engrossed, and to a third reading to-morrow.

At 9:12 o'clock, P. M., Mr. Cox moved that the house adjourn, which motion was refused.

Upon the unanimous consent of the house, Mr. Wakefield submitted the following report:

REPORT

MR. SPEAKER—Your committee, to whom was referred bill No 37, beg leave to refer it back to the house with the recommendation that it pass.

H. B., No 37; a bill relating to pilotage, etc, was read a second time, and

On motion of Mr. Wakefield,

Was ordered engrossed, and to a third reading to-morrow.

H. B., No 43; a bill to amend an act entitled an act to provide a seal for the state of Oregon, was read a second time.

Mr. Lane moved to amend, by striking out I, in section 1, line 20, and inserting "he," in place thereof, which motion was refused.

Mr. Shipley offered the following amendment:

AMENDMENT.

SEC. 3. This act shall not be so construed as to make it necessary to change or alter the seal of the supreme court of the state of Oregon, or that of any of the circuit or county courts; which amendment, was

On motion of Mr. Thornton,

Adopted.

On motion of Mr. Wasserman,

The bill was ordered engrossed, and to a third reading to-morrow.

H. B., No. 44; a bill advisory of certain sections of an act

entitled an act relating to common schools, approved October 17, 1862, was taken up on its second reading, and

On motion of Mr. Powell,

Was laid on the table.

H. B., No. 45; a bill supplemental to an act entitled an act to enforce the specific performance of certain contracts, was read a second time, and

Mr. Underwood moved that the bill be laid on the table; on which,

Messrs. Fay and Beall demanded the yeas and nays:

Yeas—Messrs. Callison, Cartwright, Cox, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, Murphy, Otey, Parker, Perkins, Smith, Tate, Thornton, Underwood, Wasserman and Mr. Speaker—21.

Nays—Messrs. Beall, Fay, Hogue, Lawson, McCartney, Peirce, Powell, Quick, Shipley, Turner and Warner—11.

So the bill was laid upon the table.

H. B. No., 46; a bill to amend an act to organize the militia, was read a second time.

Mr. Gillette moved that the bill be laid on the table; on which motion, Messrs. Fay and Cox called for the yeas and nays

Yeas—Messrs. Callison, Chaplin, Fisher, Gillette, Glass, Holman, McCornack, Parker, Powell, Smith, Shipley, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—16.

Nays—Messrs. Beall, Cartwright, Cox, Fay, Gingles, Hogue, Lane, Lawson, McCartney, Murphy, Otey, Peirce, Perkins, Quick, Tate, Turner and Thornton—17.

On motion of Mr. Lawson,

The bill was ordered engrossed, and to a third reading tomorrow.

At 9:57 P. M., the house refused a motion to adjourn

H. B., No. 47; a bill relating to school funds, was read a second time, and

On motion of Mr. McCornack,

The bill was ordered engrossed, and to a third reading, tomorrow.

H. B., No. 48; a bill in relation to public instruction, was taken up.

Mr. Underwood moved that the bill be indefinitely postponed; on which motion, Messrs. Beall and Fay demanded the yeas and nays.

Yeas—Messrs. Callison, Fisher, Gillette, Hogue, Lawson, McCartney, Murphy, Parker, Peirce, Quick, Smith and Shipley—12.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Glass,

Gingles, Holman, Lane, McCornack, Otey, Powell, Perkins, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—20.

So the house refused to indefinitely postpone the bill.

Mr. Quick moved that H. B., No. 6, be laid on the table; on which motion, Messrs Fay and Lane demanded the yeas and nays

Yeas—Messrs. Cartwright, Fisher, Gillette, Glass, Hogue, Lawson, McCartney, Murphy, Parker, Peirce and Perkins—11.

Nays—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Holman, Lane, McCornack, Otey, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—21

So the house refused to lay the bill on the table

Mr. Underwood moved that H. B., No. 6, be re-committed to the joint committee on education, on which motion, Messrs Fay, and Lane demanded the yeas and nays.

Yeas—Messrs Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Pierce, Perkins, Quick, Smith, Shipley, Tate, Underwood, Wakefield, Wasserman, Warner and Mr Speaker—26.

Nays—Messrs Beall, Cox, Fay, Gingles, Lane, Powell, Turner and Thornton—8

So the bill was referred to the joint committee on education.

At 10:20 o'clock, p. m., the house refused a motion to adjourn.

H. B., No. 3; a bill to provide for the registration of the names of electors, and for the ascertainment, by proper proof, of the persons who shall be entitled to the rights of suffrage, and prescribing the manner of regulating and conducting elections, and prohibiting, under adequate penalties, all undue influence therein, was taken up, and

On motion of Mr. Underwood,

Laid on the table

Mr. Speaker announced that he had signed H. B., No. 11; an act to repeal an act to incorporate Umatilla. Also, H. B., No. 8; relative to the introduction of new business, and also, H. J. R., No. 12, creating joint judiciary committee

S. B., No. 5; a bill for the relief of Charles B. Fisher, and Joseph E. Street, was read a second time, and passed to a third reading

S. B., No 11; a bill to amend an act to regulate the civil and criminal procedure in justices' courts, was read a second time.

Mr. Underwood offered the following amendment:

AMENDMENT.

Strike out "fifty," and insert "one hundred;" which amendment was adopted.

Mr. Underwood moved that the bill be referred to a select committee of three; which motion was adopted.

The chair appointed on said committee, Messrs. Fay, Underwood and Thornton

S. B., No. 16; a bill for the relief of the sheriff of Douglas county, was read a second time

Mr. Fay moved the following amendment:

AMENDMENT.

Add, at the end of the bill, "by the governor."

Which amendment was adopted, and the bill passed to a third reading.

The substitute for H. B., No. 17; entitled, a bill to organize a board of state auditors, was read a first time.

Mr. Fay moved that the rules be suspended, so that the bill might be read a second time, now.

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Glass, Gingles, Hogue, Holman, Lane, McCornack, McCartney, Otey, Parker, Peirce, Perkins, Tate, Turner, Thornton, Waserman and Mr. Speaker—22.

Nays—Messrs. Bowlby, Cartwright, Gillette, Lawson, Murphy, Powell, Quick, Smith, Shipley, Underwood, Wakefield and Warner—12.

So the house refused to suspend the rules, there not being the requisite majority voting in the affirmative.

The bill was ordered printed.

At 10:45 P. M., the house refused a motion to adjourn.

S. B., No. 5; a bill to amend an act entitled an act to provide for the sale of school lands, was read a first time, and

On motion of Mr. Chaplin,

The bill was indefinitely postponed.

Nays—Messrs. Cartwright, Chaplin, Glass, McCornack, McCartney, Otey, Pierce, Powell and Smith—9.

Mr. Underwood moved that the bill be laid on the table; on which motion, Messrs. Lane and Fay demanded the yeas and nays.

Yeas—Messrs. Cartwright, Chaplin, Glass, McCornack, McCartney, Otey, Pierce, Powell and Smith—9.

Nays—Messrs. Beall, Bowlby, Callison, Cox, Fay, Fisher, Gillette, Gingles, Hogue, Holman, Lane, Lawson, McCartney, Par-

ker, Perkins, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

So the house refused to lay the bill on the table.

Mr. Lane moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Beall, Cox, Fay, Fisher, Gillette, Gingles, Hogue, Lane, Lawson, Perkins, Quick, Tate and Thornton—13.

Nays—Messrs. Bowlby, Callison, Cartwright, Chaplin, Glass, Holman, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—21

So the house refused to suspend the rules.

At 11 o'clock, p. m., the house refused a motion to adjourn.

S. B., No. 9; a bill to amend an act entitled an act to provide for the collection of taxes, and to repeal an act, approved Oct. 19, 1860, and an act passed January 11, 1854 Titles 5 and 6 of said act, approved Oct. 21, 1864, was read a first time.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCartney, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Cox, Fay, McCornack and Otey—4.

So the rules were suspended, and the bill was read a second time, by its title.

Mr. Fay moved that the bill be referred to a select committee of five.

Mr. Cartwright moved to amend Mr. Fay's motion, so as to refer the bill to the joint judiciary committee; which amendment was adopted, and the bill was so referred.

Mr. Wasserman, moved to re-consider the vote by which S. B., No. 5; a bill to amend an act to provide for the sale of school lands, and for the management of the common school fund, approved Oct. 22, 1864, was indefinitely postponed.

The chair ruled the motion out of order.

The chair stated that at the last regular session, a similar question came before the house, the chair then entertained the motion; from which ruling, an appeal was taken to the house; the house refused to sustain the ruling of the chair; and notwithstanding the chair was, individually, of opinion that the motion was in order, the decision of this house at its regular session would have to be sustained by the chair, unless the house saw fit to reverse its decision.

Mr. Underwood appealed from the decision of the chair; on which appeal Messrs. Fay and Lane demanded the yeas and nays.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Hogue, Holman, Lane, McCornack, Otey, Parker, Peirce, Quick, Shipley, Turner, Thornton, Wakefield and Wasserman—22.

Nays—Messrs. Glass, Gingles, Lawson, McCartney, Murphy, Powell, Perkins, Smith, Tate, Underwood and Warner—11.

So the decision of the chair was sustained, and the motion held out of order.

Mr. Lane moved that the house adjourn till 10 o'clock, A. M., on Monday next.

Mr. Wasserman moved to amend Mr. Lane's motion, so as to adjourn till 9 o'clock, A. M., on Monday next, which amendment was adopted.

On motion,

The house adjourned.

MONDAY, December 18, 1865.

The house met at 9 o'clock, A. M.

Absent: Messrs. Colt, Cox, Hacker, Hogue, Ireland and Songer.

The journal of Saturday last was read and approved.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has adopted the accompanying S. J. R., No. — and the same is herewith transmitted for the action of the house

J. C. PEEBLES,
Chief Clerk Senate.

Mr. Underwood moved that S. J. R., No. —, be concurred in by the house; which resolution was read as follows:

SENATE JOINT RESOLUTION, No. —.

Resolved by the Senate, the House concurring, That J. R., No. 11, be reconsidered.

On motion to concur, Messrs. Cox and Fay demanded the yeas and nays

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Perkins, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay, Lane, Otey, Parker and Smith—7

So the resolution was adopted.

Mr Wakefield submitted the following report:

BOARD OF PILOT COMMISSIONERS.

To the Honorable the Legislative assembly of the State of Oregon :

The undersigned, pilot commissioners for the State of Oregon, beg leave to submit the following

REPORT.

In compliance with the amendatory act for the regulation of pilotage on the Columbia and Willamette rivers approved Oct. 21, 1864, Paul Corno, Moses Rogers and A. J. Belmont, placed upon the Columbia river bar a steam tug boat, capable of tow-vessels in and out over the bar of said river, and said tug having passed inspection by the United States inspector, we give branches to the said Corno, Rogers and Belmont, and revoke the branches of all the other bar pilots

The Columbia river being the dividing line between the state of Oregon and Washington territory, and conjointly under the jurisdiction of both, and the laws of the state and territory being quite dissimilar, and conflicting in many particulars in regard to piloting, and the exclusive privilege, given in the said act of Oregon, causes branches to be taken out in Washington territory, where the laws are more general and remunerative, and thereby controlling the pilotage of the vessels belonging to the Oregon trade;

Therefore, we would recommend to your honorable body to so modify our laws as to allow the appointment of any suitable number of qualified pilots, without restricting them to any particular kind of vessel to be used as pilot boats.

Enclosed, we send petition directed to us, which, having no power by law to act upon, we respectfully refer to your honorable body.

J. TAYLOR,
JOHN H COUCH,
FREDERIC KETCHUM,
Board of Pilot Com'rs.

ASTORIA, Dec. 1, 1865

Mr. Warner submitted the following report :

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined H. B.'s, Nos. 9, 10 and 33, and H. J. R.'s, Nos. 3 and 13, and report them correctly enrolled.

ARTHUR WARNER,
Chairman

Mr. Tate submitted the following report :

REPORT.

MR. SPEAKER—Your committee on engrossed bills, would report that they have examined substitute for H. B., No 1, and H. B.'s, Nos. 31, 34, 35, 37, 39, 41, 42, 43, 46 and 47, and report the same correctly engrossed.

J. P. TATE,
Chairman.

Mr. Wasserman submitted the following report :

REPORT.

Your committee, to whom was referred H. B.'s, Nos. 12, 18 and 24, have had the same under consideration, and would respectfully report that the joint committee have introduced a bill in the senate, embodying similar provisions, and therefore recommend that said house bill be laid on the table.

WASSERMAN,
Chairman Com. on Military Affairs.

Mr. Fay submitted the following report :

REPORT.

To the Hon. the House of Representatives :

Your select committee, to whom was referred S. B., No. 11, beg leave to report the same back, with the accompanying

amendments; and recommend the passage of the bill as amended.

HOUSE OF REPRESENTATIVES.
December, 18, 1865

JAMES D. FAY,
Chairman

The amendments reported by the committee, were severally adopted.

Mr. Underwood, from the joint judiciary, reported back S. B., No. 9, without recommendation

Mr. Fay moved the following amendment to the bill :

AMENDMENT.

Strike out, "in gold and silver coin of the United States," section 2, line 2, and insert, "any lawful currency of the United States."

Mr. Underwood moved to lay the amendment on the table; on which motion, Messrs Lane and Fay demanded the yeas and nays.

Yeas—Messrs. Bowlby, Cartwright, Gillette, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Peirce, Powell, Quick, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher, Glass, Lane, McCornack, Otey, Parker, Perkins, Smith and Thornton—14

So the amendment was laid on the table

Mr. Fay moved the following amendment :

AMENDMENT.

Strike out, "in such current gold and silver coin," lines 10 and 11, section 2, and insert, "lawful currency "

Mr. Underwood moved that the amendment be laid on the table; on which motion, Messrs Fay and Beall demanded the yeas and nays.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Gillette, Hogue, Holman, Lawson, McCartney, Murphy, Peirce, Powell, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—20

Nays—Messrs. Beall, Callison, Cox, Fay, Fisher, Glass, Gingles, Lane, McCornack, Otey, Parker, Perkins and Thornton—13.

So the amendment was laid on the table.

Mr. Fay moved the following amendment :
14

AMENDMENT.

Strike out, "in current gold or silver coin," line 5, section 4, and insert "any lawful currency."

Mr. Bowlby moved that the amendment be laid on the table; on which motion, Messrs. Lane and Fay demanded the yeas and nays

Yeas—Messrs. Bowlby, Cartwright, Fisher, Gillette, Hogue, Holman, Lawson, McCartney, Murphy, Peirce, Powell, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—20.

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Glass, Gingles, Lane, McCornack, Otey, Parker, Perkins and Thornton—13.

Mr. Fay moved the following amendment:

AMENDMENT.

Strike out, "gold or silver coin," line 7, section 4, and insert, "any lawful currency."

Mr. Bowlby moved that the amendment be laid on the table; on which motion, Messrs. Fay and Lane demanded the yeas and nays.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fisher, Gillette, Hogue, Holman, Lawson, Murphy, Powell, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Callison, Cox, Fay, Glass, Gingles, Lane, McCornack, Otey, Parker, Perkins and Thornton—12.

So the amendment was laid on the table.

Mr. Lane moved that the further consideration of S. B., No. 9, be indefinitely postponed.

Mr. Underwood moved that Mr. Lane's motion be laid on the table; on which motion Messrs. Fay and Lane demanded the yeas and nays:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, Murphy, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Cox, Fay, Lane, McCartney, Otey, Parker, Perkins and Thornton—9.

So the motion was laid on the table. -

On motion of Mr. Fay,

The house refused to lay S. B., No. 9, on the table, on division—12 to 20.

S. B., No. 9, to amend an act entitled "An act to provide for the collection of taxes," etc., passed to a third reading, without further question.

Mr. Fay moved the following resolution :

RESOLUTION.

Resolved, That the chairman of the committee of investigation on the state printing, be, and he is instructed to report, what progress, if any, has been made in the investigation of the committee.

Messrs. Fay and Beall demanded the yeas and nays, on the motion to adopt the resolution.

Yeas—Messrs. Beall, Cox, Fay, Fisher, Lane, Shipley and Thornton—7.

Nays—Messrs. Bowlby, Callison, Cartwright, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

So the resolution was lost

Mr. Fay moved the following resolution :

RESOLUTION.

Resolved, That the secretary of state be requested to inform this house, what amount of money has been paid out to Hon. M. P. Deady, as code commissioner.

Which resolution was adopted..

Mr. Underwood moved that the rules be suspended, and that the house proceed to take up order of business, No. 6. Engrossed bills read a third time.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox, Fay, Lane and Perkins.—5

So, the rules were suspended, and order, No. 6, taken up.

Mr. Speaker announced that he had signed H. J. M., No. 3, H. J. R., No 13, and H. B.'s, Nos. 9, 10 and 33.

The following message was received from the senate :

MESSAGE FROM THE HOUSE.

SENATE CHAMBER,
Dec. 18, 1865 }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B., No. 21; a bill for the relief of John Fullerton, and S. B., No. 33; a bill to prevent fraudulent and illegal voting, etc., and the same are herewith transmitted for the action of the house; also, that the president has signed H. B., No. 11, H. J. R.'s, Nos. 8 and 12, and they are herewith returned to the house.

J. C. PEEBLES,
Chief Clerk.

The substitute for H. B., No 1; a bill to amend section 653, of an act entitled an act to provide a code of criminal procedure, and to define crimes and their punishments, was read a third time, and

On motion of Mr. Wasserman,
Was laid on the table

H. B., No. 31; a bill to protect fair grounds, was read a third time.

The question being, Shall the bill pass? resulted as follows :

Yeas—Messrs. Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr Speaker—30.

Nays—Messrs Beall, Cox and Fay—3

So the bill passed.

H. B., No. 34; a bill to repeal an act entitled an act to enforce the specific performance of certain contracts, was read a third time.

The question being, Shall the bill pass? resulted as follows .

Yeas—Messrs. Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, McCornack, Murphy, Otey, Parker, Perkins, Smith and Thornton—14.

Nays—Messrs. Bowlby, Cartwright, Cox, Fay, Hogue, Lane, Lawson, McCartney, Peirce, Powell, Quick, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—20.

So the bill was lost.

H. B., No. 35; a bill to prevent persons from hunting or shooting of any kind of game within the enclosure of other persons, without the consent of the owner, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Cartwright, Chaplin, Hogue, Lawson, Murphy, Parker, Peirce, Powell, Snipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—16.

Nays—Messrs. Beall, Callison, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Otey, Perkins, Quick, Smith and Tate—17.

So the bill was lost.

H. B., No. 37; a bill to amend an act relating to pilotage, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, McCornack, Murphy, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24.

Nays—Messrs. Beall, Cox, Fay, Holman and Lane—5.

So the bill passed.

H. B., No. 39; A bill to prevent the spread of contagious and infectious diseases among domestic animals, was read a third time.

The question being; Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Cartwright, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall and Fay—2.

So the bill passed.

H. B., No. 41; a bill in relation to bounties to volunteers was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Beall and Lane—2.

So the bill passed.

H. B., No. 42; a bill to amend an act relating to the penitentiary, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Lawson, Holman, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the bill passed.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president, to inform you that the senate has passed H. B., No. 5; a bill for the relief of N. H. Gates, and the same is herewith transmitted to the house.

J. C. PEEBLES,
Chief Clerk.

H. B., No. 43; a bill to amend an act to provide a seal for the state of Oregon, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Cartwright, Cox, Fay, Lane, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Shipley, Tate, Turner, Thornton, Wasserman and Warner—18.

Nays—Messrs. Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Otey, Parker, Perkins, Quick, Smith, Underwood, Wakefield and Mr. Speaker—16.

So the bill was lost.

H. B., No. 46; a bill to repeal certain portions of an act entitled an act to organize the militia, was read a third time.

Mr. Fisher moved to lay the bill on the table, on which motion, Messrs. Beall and Fay demanded the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs Beall, Cox, Fay, Gingles, Lane, Otey and Perkins—7.

So the bill was laid on the table.

H. B, No. 47; a bill relating to school funds, was read a third time, and

On motion of Mr. Fisher,

Was referred to the committee on education, on a division of the house—17 to 16.

On motion,

The house adjourned till 2 o'clock, P. M.

AFTERNOON SESSION.

The house met pursuant to adjournment.

Absent: Messrs. Bowlby, Cartwright, Colt, Cox, Gingles, Hacker, Ireland, Murphy and Songer.

S. B., No. 3; a bill for the relief of George B. Fisher, and Joseph E Street, was read a third time

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Fay and Shipley—2.

So the bill passed

The following message was received from the secretary of state:

MESSAGE FROM THE SECRETARY OF STATE

DEPARTMENT OF STATE, }
SALEM, Dec 18, 1865. }

To the Honorable, the House of Representatives, State of Oregon:

Responding to your resolution, No. 9, I have the honor to state that payments have been made as follows:

October 16, 1862.....	\$1,025 00
" 11, 1864... ..	1,200 00
March 6, 1865... ..	200 00

Total.....\$2,425 00

SAMUEL E MAY,
Secretary of State.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B., No. 39; an act to amend an act relating to diseased animals, and refuses to pass H. B., No. 16; a bill to prevent fraudulent assignments in trusts for creditors, and other fraudulent conveyances, and the same are herewith returned to the house.

Also, that the senate concurs in the adoption of house amendments to S. B., No. 11.

J. C. PEEBLES,
Chief Clerk Senate.

Upon the unanimous consent of the house, Mr. Cartwright submitted the following

REPORT.

To the Legislative Assembly of the State of Oregon:

Your committee, appointed in pursuance of the following order:

Resolved by the House, the Senate concurring, That the report of the state printer, submitted at this session, be referred to a joint committee of three members on the part of the house, and three from the senate, to investigate the cause of the delay of the public printing, and be authorized to call for persons and papers to aid in the investigation of said delay;

Respectfully report that they have examined, under oath, all available witnesses; considered the correspondence between the state printer, secretary of state, and other parties, and the report of the state printer, submitted at this session, herewith annexed, and they find, from the evidence, that the state printer has acted in good faith toward the state, but that a remarkable catalogue of unforeseen, and apparently unavoidable accidents have intervened to prevent him from obtaining the paper upon which to print the work; and your committee are convinced that the work has not been intentionally delayed from any motive of speculation or personal gain on the part of Mr. Pittock.

It appears that the code commissioner has been prompt in the discharge of his duties, and no delay has been occasioned by want of copy.

One cause of the failure of Mr. Pittock in getting his paper, was, the uncertainty of the provision of the law for the payment of the paper used in the printing, it being left in uncertainty whether the state was to pay Mr. Pittock for the paper as it is furnished, or not until after the same is used in printing

Mr Pittock, taking the former view of the law, made a conditional purchase through Mr. A. G. Walling, his agent, of Messrs. Brooks & Co., at San Francisco, of two hundred reams of paper, and promised to pay cash for the same within thirty days. One hundred and thirty-four reams of paper were received by Mr. Pittock on said contract, in due season. He applied to the secretary of state, to get his warrants on the state for the price of the paper received, depending on the warrants to enable him to make his payments.

The secretary of state, believing that he was not authorized by law to do so until the printing was done, refused to issue the warrants

Whether his construction of the law was correct, or not, the failure of Mr. Pittock in obtaining his warrants for the paper furnished, worked a hardship to him, and prevented him from fulfilling his agreement with Brooks & Co., and obtaining the full supply of paper from them.

Your committee believe that, in justice, the paper should be paid for by the state, as it is furnished, yet, they do not presume to pass upon the legal construction of the statute.

While your committee accord to the state printer credit for purity and honesty of purpose, and feel warranted in contradicting the wholesale charges of speculation and wrong which have been made against him, they do think, that to his want of foresight and lack of energy, must, in part, be attributed the tedious delay in the printing of the code, and the general laws. The difficulties and accidents which he met at every step, were truly extraordinary and unlooked for, yet they might and should have been overcome.

Your committee are pleased to state, that three thousand copies of the work, as far as 800 pages, have been printed, and is on excellent white paper, with new type, and, so far as completed, is executed in a superior manner. The paper for its completion is now in the hands of the state printer. They are assured that the work will be completed in thirty days of working time, but, in consequence of some delay that will necessarily occur by reading the proofs and revising the index, the time may be extended to sixty days

In conclusion, your committee can only recommend that the public will make due allowance for the obstacles to be overcome, and withhold their censure, that the state printer shall have an

opportunity yet to complete the work, and by his zeal and energy in the future, to make amends for the past

A. G. HOVEY,
T. R. CORNELIUS,
JAMES M. PYLE,

Committee of the Senate.

J. C. CARTWRIGHT,
ARTHUR WARNER,
H. A. HOGUE,

Committee of the House.

REPORT OF THE STATE PRINTER.

DEC. 4, 1865.

To His Excellency, Addison C. Gibbs, Governor of Oregon :

SIR—The unlooked for delay in printing the compilation of laws, may render it desirable that some explanation be made.

The law authorizing the printing, contemplated its being done in the state, and to do so large a work, it was necessary to purchase a press and type expressly for that purpose, as no press doing newspaper work was fit to be used. For this purpose, as soon as possible after the adjournment of the legislature, I sent Mr. A. G. Walling to San Francisco. He found no press suitable for the work for sale there, but was assured that one on the way was due in sixty days. Under this assurance, the press was purchased to arrive. Of paper, there was not of one quality a sufficient quantity to do the work. All of one quality then in the market was purchased, and it was understood with Brooks & Co., the dealers, that more would be brought to that city by steamer, and that I could be supplied as needed. The press did not reach here until April last, at which time the work was commenced. As the work progressed, continued enquiries were made of Brooks & Co., as to the arrival of more paper of the same quality, and on the 26th of May, they wrote that it was being shipped round Cape Horn, instead of by steamer, as agreed, and that the vessel was then fully due. The vessel arrived on the 5th of June. At this time, I asked the secretary of state to purchase the paper for the state, which was agreed to on the 9th of June, and sufficient paper was ordered to be purchased by the state treasurer, then in San Francisco, to complete the work. In the meantime, Messrs Brooks & Co., sold out and closed their business, reserving only a part of the paper. This was bought by the state treasurer. Before selling out, the old firm had not ordered a further supply, and the new firm sold all the paper on hand at higher rates than were to be paid by me. The treasurer sent samples of California made paper, upon

which it was suggested that the work might be finished, but on his return it was not thought best to use it, and the secretary instructed me, on the 25th of July, to order through Ladd & Tilton, enough paper to finish the work. This was done immediately, and the telegram went forward on the 27th.

As there would probably be some delay in the work, it was deemed advisable to publish the criminal code and justices' act in a separate pamphlet, for the accommodation of the public, they being the only laws passed at the last session which were not published in the official paper, and therefore not accessible to those interested. I permitted Mr Walling to print two hundred copies. Three signatures had to be re-set, and the copies were printed on common paper. These pamphlets were to be sold at a price not above the cost of publication. Upon objections being made to their issue by the secretary, they were withdrawn until after a correspondence between him and yourself, in which he partially withdrew his objection. Of this pamphlet, not over thirty were sold, and as many given away. The balance are in my possession.

On the 27th of July, the day on which the order went east for paper, the telegraph was destroyed by the Indians beyond Salt Lake, and was not repaired until the 25th of August. In the meantime, I made enquiry at the telegraph office, and was informed that when the line was down, duplicates of messages were usually sent by any express going through. On the 2d of September, I learned that the telegram had just reached New York, and received an answer asking further instructions, which were sent on the 4th. On September 15th, the New York house of Ladd & Tilton informed their house here that there was no paper of the kind sent for, in that market; but that orders had been despatched to the mills to make it at once. Information has since been received, that the paper is now in San Francisco, and will be here by the coming steamer.

Eight hundred and eight pages of the code have been printed, a bound sample of which has been placed in the hands of the secretary of state, for public inspection.

I am, sir, yours respectfully,

HENRY L PITTOCK,
State Printer

Mr. Underwood moved the adoption of the report, on which Messrs. Fay and Beall demanded the yeas and nays.

Some discussion arose on the motion to adopt the report.

A message was despatched to the secretary of state, for the laws relative to the public printing; to which the secretary responded as follows:

MESSAGE FROM THE SECRETARY OF STATE.

STATE OF OREGON,
DEPARTMENT OF STATE. SALEM, Dec. 18, 1865. }

Honorable House of Representatives:

I cannot respond to your requisition for the enrolled laws, made by the sergeant-at-arms, unless your honorable body comply with section 2, sub-division 3, of "An act to regulate the treasury department," approved June 2, 1859.

SAMUEL E. MAY,
Secretary of State.

Mr. Hogue moved the following:

HOUSE RESOLUTION, NO. 10.

Resolved, That the secretary of state is hereby requested to furnish the house with the session laws of 1864, for the purpose of proving the law relative to state printing, passed at that session, read by the secretary before the house, while considering the report of the special joint committee now under consideration.

Which resolution was adopted,

The vote being taken on the adoption of the report, resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the report was adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 16, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B., No. 31; a bill to protect fair grounds, with the accompanying amendment, and the same is herewith transmitted for the action of the house. Also, that

president has signed H. B., No. 9; an act to incorporate the town of La Grande, and the same is herewith returned to the house. Also, that the senate refuses to pass H. B., No. 4; relating to amendment of license law, and the same is herewith returned to the house.

J. C. PEEBLES,
Chief Clerk Senate.

On motion,

The house concurred in senate amendment to H. B., No. 31.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to request that H. B., No. 4, which was lost upon a vote on its final passage in the senate, and which bill was returned to the house, be returned to the senate for the purpose of being acted upon, on a motion to reconsider the vote by which the senate refused to pass the bill.

J. C. PEEBLES,
Chief Clerk of the Senate.

The following message was received from the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president, to inform you that the senate has passed H. B., No. 27, and H. B., No. 42, and they are herewith returned to the house.

J. C. PEEBLES,
Chief Clerk.

S. B., No. 9; a bill relating to the collection of taxes, was read a third time.

The question being, Shall the bill pass? resulted as follows.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Hogue, Holman, Lawson, McCartney, Peirce, Powell, Perkins, Quick, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Fay, Gingles, Lane, McCornack, Murphy, Otey and Parker—8.

So the bill passed

S. B., No. 16; a bill for the relief of the sheriff of Douglas county, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall, Fay and Lane—3.

So the bill passed.

Upon the unanimous consent of the house, Mr. Tate submitted the following report.

REPORT.

MR. SPEAKER—Your committee on engrossed bills, having examined H. B., No. 25, report the same correctly engrossed.

J. P. TATE,
Chairman.

H. B., No. 25; a bill to provide for the erection of mill dams, and for the support and regulation of mills, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Cartwright, Chaplin, Cox, Gillette, Glass, Gingles, Holman, Lane, Lawson, McCornack, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—26.

Nays—Messrs. Fay, Hogue, McCartney and Tate—4.

So the bill passed.

H. B., No. 36; a bill to amend an act entitled an act relating to common schools, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood and Mr. Speaker—24.

Nays—Messrs. Beall, Fay, Lane and Shipley.—4.

So the bill passed.

Upon the unanimous consent of the house, Mr. Thornton submitted the following report:

REPORT.

MR. SPEAKER—Your committee, to whom was referred H. B., No. 47, would report the same with the following amendments, and recommend that it do pass

J. QUINN THORNTON,
Chairman of Committee on Education.

The amendments submitted by the committee were severally adopted.

H. B., No. 47; a bill —, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Shipley, Tate, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29

Nays—Messrs. Beall, Cox and Fay—3.

So the bill passed

On motion of Mr. Underwood,

The title of H. B., No. 47, was changed so as to read as follows.

“An act to provide for the loaning of the common school funds.

On motion of Mr. Underwood,

It was ordered that when this house adjourn, it adjourn to meet again at 7 o'clock, this evening.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the President to inform you that the senate has passed H. B., No. 37, relating to pilotage on Columbia river. Also, that after a reconsideration of the vote by which H. B., No. 4, was lost, the senate has again had the bill under consideration, and refuses to pass the same, and it is herewith returned to the house.

J. C. PEEBLES,
Chief Clerk.

Mr. Tate reported H. B., No. 30; a bill to amend an act to repeal certain statutes of a general nature, with certain exceptions, approved Oct. 24, 1864, correctly engrossed.

The following communication was received from the governor:

COMMUNICATION FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }
SALEM, Dec 18, 1865. }

Gentlemen of the House of Representatives:

I have approved and signed House Bill, No. 11, An act to repeal an act to incorporate Umatilla.

ADDISON C. GIBBS,
Governor of Oregon.

The following message was received from the governor :

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }
SALEM, Dec. 18, 1865. }

Gentlemen of the House of Representatives:

I have approved and signed H. B., No. 9, An act to incorporate La Grande.

ADDISON C. GIBBS,
Governor of Oregon.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B.'s, Nos. 4 and 8, have been reported truly enrolled, and they are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Underwood moved to suspend the rules, so that S. B. No. 10 ; a bill to amend an act to provide a code of civil procedure, might be read a first time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Shipley, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

So the rules were suspended, and the bill was read a first time by title.

Mr. Fay moved that the rules be further suspended, so that S. B., No. 10, might be read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplain, Cox, Fay, Fisher, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Shipley, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30

So the rules were suspended, and the bill was read a second time by title.

On motion of Mr. Fay,

S. B., No. 10, was referred to a select committee of three.

The chair appointed on said committee, Messrs. Fay, Thornton and Cartwright.

On motion,

Leave of absence was granted to Mr. Perkins for the remainder of the session.

On motion,

The house adjourned.

—

EVENING SESSION.

The house met pursuant to adjournment.

Absent—Messrs. Cartwright, Colt, Hacker, Ireland and Songer.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed to inform you that the senate has passed H. B., No. 28, in reference to quartz mining claims, with an amendment, and H. B., No. 41, in reference to bounties to volunteers, and they are herewith transmitted to the house

J. C. PEEBLES,
Chief Clerk Senate

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you

that he has signed H. B., No. 10; H. B., No. 33; H. J. R., No. 13; and H. J. M., No. 3; and the same are herewith transmitted to the house.

J. C. PEEBLES

Chief Clerk.

Mr. Speaker announced that he had signed S. B.'s Nos. 4 and 8.

S. B., No. 11; a bill to amend an act entitled an act to regulate the civil and criminal procedure in justices' courts, was read a third time as amended; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Pierce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

Nays—Mr. Beall—1

So the bill passed.

Upon the unanimous consent of the house,

Mr. Tate submitted the following report:

REPORT.

MR. SPEAKER—Your committee on engrossed bills, having examined H. B.'s, Nos. 15 and 19, would report them correctly engrossed.

J. P. TATE,

Chairman.

Upon the unanimous consent of the house,

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—Your committee on enrolled bills have examined H. R.'s, Nos. 9 and 10, and report the same correctly enrolled.

ARTHUR WARNER,

Chairman.

H. B., No. 15; a bill to amend an act to incorporate the city of Albany, was read a third time, and,

On motion of Mr. Tate,

The bill was laid on the table.

H. B., No. 19; a bill to regulate roads and highways, was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin,

Cox, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Fay and Lane—2

So the bill passed

Upon the unanimous consent of the house,

Mr. Fay submitted the following report:

REPORT.

To the Honorable the House of Representatives:

Your select committee, to whom was referred S. B., No. 10, beg leave to report the same back with the accompanying amendments, and recommend its passage as amended.

JAMES D. FAY,

Chairman.

The amendments reported by the committee were severally adopted.

Mr. Underwood moved that the rules be suspended, so that S. B., No. 10, might be read a third time now.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Pierce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—Mr. Parker—1.

So the rules were suspended.

S. B., No. 10; a bill to amend an act to provide a code of civil procedure, was read a third time.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCartney, Otey, Peirce, Powell, Quick, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—25.

Nays—Messrs. Fisher, Gillette, Parker, Perkins, Smith and Shipley.—6.

So the bill passed.

H. B., No. 30; a bill to amend an act to repeal certain acts of a general, etc., was read a third time, and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Cox, Fay, Hogue, Lane, Lawson, McCartney, Otey, Quick and Wasserman—10.

Nays—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, McCornack, Parker, Peirce, Powell, Perkins, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield and Mr. Speaker—22.

So the bill did not pass

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B., No. 21, with amendments, and the same is hereby transmitted to the house for its action.

J. C. PEEBLES,
Chief Clerk.

Senate amendments to H. B., No. 21, were, on motion, concurred in.

The following message was received from the governor:

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT, SALEM, Dec. 18, 1865. }

Gentlemen of the House of Representatives:

I have approved and signed H. B., No. 33; a bill to appropriate money for the expenses of the legislature. Also H. B., No. 10; a bill to improve the breeds of sheep.

ADDISON C. GIBBS,
Governor of Oregon

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined H. B.'s, Nos. 5, 39, 27 and 42, and S. B.'s, Nos. 3 and 9, and S. J. R. No. 11, and report them correctly enrolled.

ARTHUR WARNER,
Chairman

Mr. Speaker announced that he had signed H. R.'s, Nos 9 and 10. Also H. B.'s, Nos. 5, 27, 39 and 42.

Substitute for H. B., No. 17; a bill to create a board of state auditors. was read a second time.

Mr. Underwood moved an amendment to the bill, which was adopted.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—32.

Nays—None

H. B., No. 17, was read a third time, and

The question being, Shall the bill pass? resulted as follows :

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30

Nays—Messrs. Beall and Fay—2.

So the bill passed.

S. B., No. 7; a bill to amend an act entitled an act to provide a code of criminal procedure, was read a second time.

Mr. Quick moved that the rules be suspended, so that the bill might be read a third time now.

Yeas—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Hogue, Lane, Lawson, McCornack, McCartney, Peirce, Perkins, Quick, Shipley, Turner, Wakefield, Wasserman, Warner and Mr. Speaker—20.

Nays—Messrs. Callison, Glass, Holman, McCornack, Otey, Parker, Powell, Smith, Tate, Thornton and Underwood—11.

So the house refused to suspend the rules

Mr. Wakefield moved to take the substitute for H. B., No. 1; to amend an act to provide a code of criminal procedure, etc., from the table.

Which motion was adopted, on division—20 to 5.

So the bill was taken from the table and read a third time.

The question being, Shall the bill pass?

Mr. Underwood moved a call of the house; which motion was subsequently withdrawn

The question recurring on the final passage of the bill, resulted as follows :

Yeas—Messrs. Bowlby, Cartwright, Fisher, Glass, Gingles,

Holman, Lawson, Parker, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Warner and Mr. Speaker—18.

Nays—Messrs. Beall, Callison, Chaplin, Cox, Fay, Gillette, Hogue, Lane, McCornack, McCartney, Otey, Peirce, Perkins, Wakefield and Wasserman—15.

So the bill did not pass.

Mr. Wakefield moved that the rules be suspended, so that S. B., No. 7; a bill to amend an act entitled an act to provide a code of criminal procedure, might be read a third time now.

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCartney, Otey, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Callison, McCornack, Parker and Thornton—4.

So the rules were suspended.

The bill was read a third time, and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Hogue, Holman, Lane, Lawson, McCartney, Peirce, Perkins, Quick, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24.

Nays—Messrs. Callison, Glass, Gingles, McCornack, Otey, Parker, Powell, Smith and Tate—9.

So the bill passed.

S. B., No. 12; a bill to amend an act entitled an act to organize the militia, etc., was read a first time.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Peirce, Powell, Perkins, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay, Lane and Parker—5.

So the rules were suspended.

The bill was read a second time, and,

On motion of Mr. Gillette,

The bill was referred to the committee on military affairs.

S. B. No. 13; a bill to amend an act entitled an act granting bounties to volunteers, was read a first time.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wasserman, Warner, and Mr. Speaker—29.

So the rules were suspended

The bill was read a second time, and

On motion of Mr. Underwood,

The bill was referred to the committee on military affairs. ✓

S. B., No 14; a bill supplemental to an act entitled an act for collecting and compiling the laws, was read a first time.

Mr. Fay moved that the bill be indefinitely postponed.

Mr. Underwood moved that Mr. Fay's motion lay on the table.

On which motion, Messrs. Fay and Lane demanded the yeas and nays

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay, Lane, McCartney and Thornton—6.

So the motion was laid on the table.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Mr. Fay moved to lay the motion on the table,

Which motion was refused.

The question recurring on the motion to suspend the rules, resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29

Nays—Messrs. Beall, Fay, Lane and Otey—4.

So the rules were suspended.

The bill was read a second time

Mr. Underwood moved that the rules be suspended and the bill read a third time now.

Mr. Fay moved that the motion be laid on the table.

On which, Messrs. Fay and Lane demanded the yeas and nays.

Yeas—Messrs. Beall, Cox, Fay, Lane, Parker, Peirce—6.

Nays—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, Mc-

Cornack, McCartney, Otey, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

So the motion to lay on the table was refused.

The question recurring on the motion to suspend the rules, resulted as follows:

Yeas—Messrs Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Parker, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay, Lane and Otey—5.

So the rules were suspended.

The bill was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Gillette, Glass, Holman, Powell, Perkins, Quick, Shipley, Tate, Thornton, Wakefield, Wasserman and Warner—13.

Nays—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gingles, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Smith, Turner and Underwood—18.

So the bill did not pass.

S. B., No. 15; a bill to amend an act entitled an act to regulate and tax foreign insurance, banking, express and exchange corporations, etc., was read a first time.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Messrs. Beall and Fay—2.

So the rules were suspended.

The bill was read a second time.

On motion of Mr. Wasserman,

The bill was referred to a select committee of three.

The chair appointed on said committee, Messrs. Wasserman, Wakefield and Warner.

H. B., No. 28; a bill to amend an act entitled an act to establish and regulate quartz mining claims, etc., was returned from the senate with an amendment, which was concurred in by the house.

The following message was received from the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec 18, 1865 }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B, No 17, and H. B, No. 19; also, that he has signed H. B, No 5; H. B., No. 27; H. B., No. 39, and H. B, No. 42; and they are all herewith transmitted to the house.

J. C PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B., No. 11; S. B., No 9, and S. J. R, No. 11, have been reported duly enrolled, and are herewith transmitted for your signature.

J C. PEEBLES,
Chief Clerk

S. B., No. 18; A bill to authorize the city of Portland to lay out streets, etc , was read a first time

Mr. Underwood moved to suspend the rules, so that the bill might be read a second time by title now.

Yeas—Messrs, Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—33

So the rules were suspended, and the bill was read a second time by title.

Mr. Bowlby moved to suspend the rules, so that the bill might be read a third time now.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—33.

So the rules were suspended.

Mr. Wasserman moved a call of the house.

Absent: Messrs. Bowlby, Cartwright, Colt, Hacker, Hogue, Ireland, Lawson, Murphy, Songer, Turner, Unerwood and Warner.

The sergeant-at-arms was despatched after absent members.

On motion.

The further call of the house was dispensed with.

S. B., No. 18, was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hague, Holman, Lane, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr Speaker—29.

Nays—Messrs. Beall, Cox and Fay—3

So the bill passed.

Mr. Fay moved that rule 60, which forbids smoking in the hall or lobby, be suspended for the remainder of the session.

Yeas—Beall, Chaplin, Cox, Fay, Lane and McCartney—6.

Nays—Bowlby, Callison, Cartwright, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, Otey, Parker, Peirce, Powell, Perkins, Quick, Smith, Shipley, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

So the house refused to suspend the rule.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate concurs in house amendments to S. B., No. 11, in relation to practice in civil and criminal proceedings in justices' courts; also, that the senate has passed H. B., No. 36; also, that the senate refuses to concur with amendments of the house to S. B., No. 10; a bill to amend an act entitled an act to provide a code of civil procedure, and the bill is herewith transmitted for the action of the house.

J. C. PEEBLES.

Chief Clerk.

The house receded from amendments Nos 1 and 2, to S. B., No. 10, and insisted on amendments Nos. 3 and 4.

The house concurred in senate amendments to H. B., No. 21,

a bill to amend an act entitled an act to provide a code of criminal procedure, etc.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed S. B., No. 17, a bill to provide for the publication of the laws and journals, etc, and the same is herewith transmitted for the action of the house

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B., No. 47, with amendments, and the concurrence of the house is requested.

J. C. PEEBLES,
Chief Clerk.

Senate amendments to H. B., No. 47, were severally concurred in.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has passed H. B., No. 25, with amendments, and the same is herewith transmitted for the action of the house.

J. C. PEEBLES,
Chief Clerk.

The house concurred in senate amendments to H. B., No. 25; a bill to authorize the erection of mill dams, etc.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B., No. 7, has been reported truly enrolled, and the same is herewith transmitted for your signature.

J. C. PEEBLES
Chief Clerk.

The following message was received from the governor :

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }
SALEM, Dec. 18, 1865. }

Gentlemen of the House of Representatives :

I have approved and signed the following bills: H. B. No. 5, for the relief of N. H. Gates; H. B., No. 39, a bill to prevent the spread of diseases among animals; H. B., No. 42, a bill providing for the government of the penitentiary; H. B., No. 27, a bill to legalize certain acts of J. B. Underwood, a notary public.

ADDISON C. GIBBS,
Governor of Oregon.

On motion of Mr. Wasserman,

The house took a recess for half an hour.

The house was called to order at the expiration of time for which they took a recess.

Mr. Speaker announced that he had signed H. B.'s, Nos. 21, 28, 31 and 41; also, S. J. R., No. 11; and also, S. B.'s, Nos. 7, 9 and 11.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 18, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate has receded from its disagreement to first house amendment to S. B., No. 10, and insists upon its disagreement to second amendment in relation to the jurisdiction of justices of the peace, and the bill and amendment are herewith returned to the house for further action

J. C. PEEBLES,
Chief Clerk

On motion of Mr. Bowlby,

The house adhered to its second amendment to S. B., No 10

Mr. Wasserman submitted the following report:

REPORT.

S. B., No. 12; amend by striking out sections 2 and 3, and insert in place thereof the accompanying sections

WASSERMAN,
Chairman.

The amendments reported by the committee were severally adopted.

1st On the adoption of the first amendment reported by the committee,

Messrs. Fay and Lane demanded the yeas and nays

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Pierce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs Beall, Fay and Lane—3.

So the amendment was adopted.

2d. The second amendment was adopted by acclamation.

Mr. Wasserman moved that the rules be suspended, so that the bill might be read a third time now

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—30.

Nays—Mr. Fay—1.

So the rules were suspended.

The bill was read a third time, and,

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

Nays—Messrs. Beall, Cox and Fay—3.

So the bill passed.

Messrs. Beall and Fay entered the following protest:

PROTEST.

The undersigned, members of the house of representatives from the county of Jackson, hereby protest against the action of this body in the passage of S B, No. —; a bill to change the boundaries of Jackson county, for the following reasons, to wit:

1. Because neither the citizens of Jackson county, nor the residents of the military posts in that part of Wasco proposed to be annexed to Jackson county, have by petition or otherwise expressed a desire for the proposed annexation.

2. Because there are no white settlers in the territory proposed to be annexed, excepting persons who are resident at the military posts, and who are either directly or indirectly connected with the military of those posts and in the employ of the United States government.

3. Because the civilian residents of the territory proposed to be annexed, are too few in number to support their due proportion of the county burdens.

4. Because by compelling Jackson county to extend her county organization over a territory totally uninhabited by white persons, except the few soldiers stationed there and their civilian attachés and employes, an unjust and unnecessary burden is imposed on that county.

5. Because we believe that the project of annexation is neither asked for nor desired by the people, but emanates from designing and interested demagogues and politicians, who attempt to use the legislative assembly in the passage of this act, for the purpose of carrying their nefarious schemes into effect.

6. Because on the final passage of the bill, under the operation of the previous question, the citizens of Jackson county were denied the right to explain, through their representatives on this floor, the reasons why the bill should not pass.

7. Because one of the representatives from Jackson, when his name was called on the final passage of the bill, was in the act of explaining the reason for his vote, he was called to order and refused the right to explain.

8. Because the action of the house in thus refusing a hearing to the representatives from Jackson county, in a matter so nearly affecting the interests of that county, grossly abused the power of the majority, and committed an outrage on the rights of said county and her representatives, without a parallel in the history of legislation in this or any other state.

THOMAS F. BEALL,
JAMES D. FAY.

HOUSE OF REPRESENTATIVES,
December 18, 1865.

S. B., No. 17; a bill, was read a first time.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Beall, Bowlby, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

So the rules were suspended

The bill was amended.

Mr. Wasserman moved that the rules be suspended, so that the bill might be read a third time now.

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30.

Nays—Beall—1

So the rules were suspended.

The bill was read a third time; and

The question, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—29.

Nays—Messrs. Beall and Fay—2.

So the bill passed.

S. B., No 20; a bill to enable the secretary of state to employ counsel, etc., was read a first time.

Mr. Quick moved that the rules be suspended, so that the bill might be read a second time by its title.

Yeas—Messrs. Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—31.

Nays—Fay—1.

So the rules were suspended.

The bill was read a second time by its title.

Mr. Quick moved that the rules be further suspended, so that the bill might be read a third time now.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox,

Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs Beall, Fay, Lane and McCornack—4.

So the rules were suspended.

The bill was read a third time.

Mr. Fay moved the bill to a select committee of three.

Which motion was refused.

The question being, Shall the bill pass? resulted as follows :

Yeas—Messrs. Bowlby, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Cox, Fay, Lane, and McCornack—5.

So the bill passed.

S. B., No. 21; a bill for the relief of John Fullerton, was read a first time.

Mr. Fay moved that the bill lie on the table.

On which motion, Messrs. Underwood and Wasserman demanded the yeas and nays:

Yeas—Messrs. Beall, Cartwright, Cox, Fay, Fisher, Lane, Powell, Smith, Tate and Warner—10.

Nays—Messrs. Bowlby, Callison, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—20.

So the motion to lay on the table was refused.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs Beall, Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, McCornack, McCartney, Murphy, Otey, Pierce, Quick, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26.

Nays—Messrs. Fay, Powell and Tate—3.

So the rules were suspended.

The bill was read a second time.

Mr. Gillette moved to refer the bill to the committee on military affairs.

On which, Messrs. Beall and Fay demanded the yeas and nays.

Yeas—Messrs. Beall, Fay, Gillette, Lane, Lawson, Peirce, and Powell—7.

Nays—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Quick, Smith, Shipley, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24

So the house refused to refer the bill

Mr. Moores moved that the rules be suspended so that the bill might be read a third time now

Yeas—Messrs. Bowlby, Cartwright, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Pierce, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Chaplin, Fay and Lane—4.

So the rules were suspended.

The bill was read a third time, and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Shipley, Turner, Underwood, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Fisher, Lane, Lawson, Smith and Wakefield—10.

So the bill did not pass.

Mr. Underwood moved to reconsider the vote by which the house refused to pass S. B., No. 21.

Mr. Lane moved that the motion be laid on the table,
Which motion was refused.

The question recurring upon Mr. Underwood's motion, Messrs. Fay and Beall demanded the yeas and nays.

Yeas—Messrs. Bowlby, Callison, Glass, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Tate, Turner, Underwood, Wasserman, Warner and Mr. Speaker—17.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Gingles, Lane, Lawson, Powell, Smith, Shipley and Wakefield—14.

So the motion to reconsider was adopted.

A call of the house was ordered.

Mr. Lane moved that the further call of the house be dispensed with

Which motion was refused.

Absent: Messrs. Lawson and Parker.

The sergeant-at-arms was despatched for the absent members.

On motion of Mr. Fay, the further call of the house was dispensed with.

Mr. Fay moved that the house adjourn.

Which motion was refused, on division, 19 to 2.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Hogue, Holman, McCornack, Murphy, Otey, Peirce, Quick, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—16.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Lane, McCartney, Powell, Smith, Shipley and Wakefield—15.

So the bill did not pass.

S. B., No. 22; a bill to amend an act entitled an act relating to assessors, was read a first time.

Mr. Quick moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Fay, Lane and Shipley—4.

So the rules were suspended.

The bill was read a second time by title.

Mr. Quick moved that the rules be suspended, and the bill read a third time now.

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—28.

Nays—Messrs. Beall and Lane—2.

So the rules were suspended.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Fisher, Gillette, Gingles, Hogue, Holman, McCornack, Murphy, Peirce, Quick, Smith, Shipley, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Cartwright, Chaplin, Cox, Fay, Glass, Lane, McCartney, Otey, Powell, Tate and Thornton—12.

So the bill did not pass.

S. B., No. 23; a bill for the relief of S. Rigdon, was read a first time.

On motion of Mr Underwood

The bill was laid on the table.

S. B., No. 26; a bill for the relief of Cyrus A. Reed, was read a first time.

Mr. Wasserman moved that the rules be suspended and the bill read a second time now.

Yeas—Messrs. Bowlby, Callison, Cox, Fisher, Glass, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24.

Nays—Messrs. Beall, Chaplin, Fay, Gillette, Gingles and Lane—6

So the rules were suspended.

The bill was read a second time

Mr. Wasserman moved that the rules be further suspended, and the bill read a third time now.

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Pierce, Powell, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Cox, Fay and Lane—4.

So the rules were suspended.

The bill was read a third time, and

The question being, Shall the bill pass? resulted as follows.

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Beall, Cox, Fay, Lane, Otey and Smith—6.

So the bill passed.

On motion of Mr. Hogue, the vote by which S. B., No. 22, was lost, was reconsidered.

The question being, Shall the bill pass?

On motion of Mr. Beall, the previous question was ordered.

The vote being taken on the final passage of the bill, resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Smith, Tate, Turner, Underwood, Wakefield and Mr. Speaker—24.

Nays—Messrs. Powell, Thornton, Wasserman and Warner—4.

So the bill passed.

S. B., No. 27; a bill for the relief of Washington county, was read a first time.

Mr. Wasserman moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Warner—27.

So the rules were suspended.

The bill was read a second time by title.

On motion, the rules were suspended by the following vote, so that the bill might be read a third time now.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Quick, Smith, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Mr. Thornton—1.

So the rules were suspended.

Mr. Lane moved a call of the house,

Which was refused.

The bill was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Chaplin, Fisher, Gingles, Hogue, Holman, Lawson, Murphy, Otey, Peirce, Powell, Quick, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—19.

Nays—Messrs. Beall, Fay, Gillette, Glass, Lane, McCornack, McCartney, Smith and Tate.—9.

So the bill did not pass.

S. B., No. 28; a bill to amend an act to incorporate the city of Salem, was read a first time; and

Mr. Moores moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, Murphy, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—28.

So the rules were suspended.

The bill was read a second time.

Mr. Wasserman moved that the rules be suspended, so that the bill might be read a third time now

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCornack, McCartney, Murphy, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—26

So the rules were suspended.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman and Mr. Speaker—27.

Nays—Messrs. Fisher, Quick and Warner—3

So the bill passed.

S. B., No. 31; a bill to change the judicial districts of the state of Oregon, was read a first time.

Mr. Gillette moved that the rules be suspended, so that the bill might be read a second time by title.

Yeas—Messrs. Beall, Callison, Chaplin, Gillette, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—23.

Nays—Messrs. Fay, Fisher, Lane and Otey—4.

So the rules were suspended

The bill was read a second time.

Mr. Quick offered several amendments,
Which were severally laid on the table.

On motion of Mr. Moores,

S. B., No. 31, was laid on the table

Upon the unanimous consent of the house,

Mr. Wasserman submitted the following report:

REPORT.

MR. SPEAKER—Your committee to whom was referred S. B., No. 13, have had the same under consideration and report it back to the house with a recommendation that it do pass.

WASSERMAN,

Chairman Committee Military Affairs.

S. B., No. 13; a bill to amend an act relating to bounties to volunteers.

Mr. Underwood moved the suspension of the rules, so that S. B., No. 13, might be read a third time now.

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fisher, Gillette, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Mr. Fay—1.

So the rules were suspended.

The bill was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Chaplin, Gillette, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—22.

Nays—Messrs. Beall, Cox, Fay, Fisher, Lane—5.

So the bill passed

S. B., No. 32; a bill to amend an act to regulate the time of holding the circuit and county courts, etc., was read a first time, and

On motion of Mr. Underwood,

Was laid on the table.

S. B., No. 34: a bill for the relief of Benton county, was read a first time.

Mr. Gingles moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fisher, Gillette, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Wasserman, Warner and Mr. Speaker—23.

Nays—Messrs. Fay and Otey—2.

So the rules were suspended.

The bill was read a second time

Mr. Gingles moved to suspend the rules, so that the bill might be read a third time now.

Yeas—Messrs. Beall, Callison, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Smith, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—25.

Nays—Messrs. Cox and Fay—2.

So the rules were suspended.

The bill was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Beall, Callison, Chaplin, Cox, Fay, Fisher,

Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wasserman, Warner and Mr. Speaker—28.

So the bill passed.

S. B., No. 33; a bill to prevent fraudulent and illegal voting, and to repeal certain laws in conflict therewith, was read a first time.

Mr. Lane moved that the rules be suspended, so that the bill might be read a second time now.

Yeas—Messrs. Beall, Bowlby, Callison, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Hogue, Holman, Lane, Lawson, McCornack, McCartney, Murphy, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—30

So the rules were suspended

The bill was read a second time

Mr. Lane moved the following amendments :

AMENDMENTS.

Amend line 5, by inserting "white" male, before the word citizen, and wherever the word white male citizen may occur thereafter; also, insert white male before citizen in first oath.

The amendments were refused by the following vote :

Yeas—Messrs. Bowlby, Callison, Gillette, Glass, Lawson, McCornack, McCartney, Otey, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—20.

Nays—Messrs. Beall, Chaplin, Cox, Fay, Fisher, Gingles, Hogue, Holman, Lane and Murphy—10

So the amendments were laid on the table.

Mr. Fay moved to amend, by inserting the word "white" before male in the tenth line.

Mr. Underwood moved to lay the amendment on the table,

On which motion, Messrs. Fay and Beall demanded the yeas and nays

Yeas—Messrs. Bowlby, Callison, Chaplin, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—24

Nays—Messrs. Beall, Cox, Fay, Fisher, Lane, Otey—6.



So the amendment was laid on the table.

Mr. Underwood moved that the rules be suspended, so that the bill might be read a third time now.

Yeas—Messrs Beall, Bowlby, Callison, Chaplin, Cox, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Murphy, Peirce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker.—26.

Nays—Messrs. Fay, Fisher, Lane and Otey—4.

So the rules were suspended.

The bill was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Gillette, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Pierce, Powell, Quick, Smith, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—22.

Nays—Messrs. Beall, Chaplin, Cox, Fay, Fisher, Lane, Murphy and Otey—8.

So the bill passed.

At 5 o'clock A. M., December 19, 1865, the house adjourned till 9 o'clock A. M.

TUESDAY, December 19, 1865.

The house met pursuant to adjournment.

When the roll was called, it was ascertained that there was no quorum present, and the sergeant-at-arms was despatched to bring in the absent members.

Upon calling the roll again, it was found that a majority were present, there being absent, Messrs. Beall, Colt, Cox, Fay, Hacker, Hogue, Ireland, Lane, Murphy, Songer and Wasserman.

On motion of Mr. Quick,

The journal of yesterday was referred to a select committee of three, for examination and correction.

The chair appointed Messrs. Quick, Lawson and Shipley said committee.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate concurs with the house in the adoption of house amendments to S. B., No. 12.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that the president has signed S. B., No. 7, S. B., No. 9, H. B., No. 31, H. B., No. 41, H. B., No. 28, H. B., No. 21, and S. J. R., No. 11, and the house bills are herewith returned to the house.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that the senate requests that a committee of conference be appointed for the purpose of considering the disagreement between the two houses on amendment to S. B., No. 10.

J. C. PEEBLES,
Chief Clerk.

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined H. B.'s, Nos. 31, 41, 28, 21, 36, 17, 47, 19, 25 and 37, and S. B.'s, Nos. 11, 7, 34, 12, 20 and 16, and report them correctly enrolled.

ARTHUR WARNER,
Chairman.

Mr. Speaker announced that he had signed H. B.'s, Nos. 17, 19, 25, 36, 47 and 37

A call of the house was ordered.

Absent: Messrs Beall, Chaplin, Cox, Fay, Hacker, Ireland, Lane, Murphy, Peirce, Songer, Thornton and Wasserman.

On motion,

It was ordered that the further call of the house be dispensed with.

Mr. Underwood moved that the house reconsider the vote by which S. B., No. 14, was lost;

Which motion was adopted

The question being, Shall S. B., No. 14, a bill supplemental to an act to provide for collecting, compiling and printing the laws, etc., pass?

Yeas—Messrs. Bowlby, Chaplin, Fisher, Gillette, Glass, Gingles, Hogue, Holman, McCartney, Parker, Peirce, Powell, Perkins, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakfield, Wasserman, Warner and Mr. Speaker—23.

Nays—Messrs. Callison, Cartwright, Lawson, McCornack, Otey and Smith—5.

So the bill passed.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that S. B.'s Nos. 12, 15, 20 and 34, have been reported truly enrolled, and they are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker announced that he had signed S. B.'s Nos 12, 16, 20 and 34.

The following report was submitted by Mr. Warner:

REPORT.

MR. SPEAKER—Your committee, to whom was referred S. B., No 15, recommend that it pass without amendment.

ARTHUR WARREN,
L. H. WAKEFIELD,
Committee.

H. B., No 15; a bill to amend an act entitled an act to regulate and tax foreign insurance companies, etc., was read a third time; and

The question being Shall the bill pass? resulted as follows:

Yeas—Messrs. Callison, Cartwright, Chaplin, Fisher, Gillette, Glass, Gingles, Holman, Lane, McCornack, McCartney, Otey, Parker, Pearce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Warner and Mr. Speaker—26.

Nays—Mr. Wasserman—1.

So the bill passed.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER.

Dec 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B., No 18, and S B, No. 26, have been reported truly enrolled, and they are herewith transmitted for your signature

J. C. PEEBLES,
Chief Clerk.

Mr Speaker announced that he had signed S B's Nos 18 and 26.

H B., No. 38; a bill to prevent the trespassing of certain domestic animals therein named was read a third time; and

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Otey, Parker, Thornton and Underwood—4.

Nays—Messrs. Beall, Callison, Cartwright, Chaplin, Cox, Fay, Fisher, Gillette, Glass, Gingles, Holman, Ireland, Lane, Lawson, McCornack, McCartney, Pearce, Powell, Perkins, Quick, Smith, Shipley, Tate, Turner, Wakefield, Wasserman, Warner and Mr. Speaker—28.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER.

Dec. 19, 1865 }

MR. SPEAKER—I am directed by the president to inform you that he has signed H. B.'s Nos. 17, 19, 25, 36 and 47, and the same are herewith transmitted to the house where they originated.

J. C. PEEBLES,
Chief Clerk.

Mr Lawson, from the committee to whom was referred the journal of yesterday for correction, submitted the following report:

REPORT.

MR. SPEAKER—Your committee on examination of the house journal of December 18, 1865, beg leave to report that they have examined the same, and from the best recollection of the proceedings on that day, the journal is correct.

G. W. LAWSON,
Chairman.

On motion,

The report was adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B., No. 22, has been reported truly enrolled, and the same is herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker announced that he had signed S. B., No. 22.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that he has appointed Messrs. Pyle, Palmer and Hinsdale a committee of conference on the disagreement between the two houses in relation to the amendment to S. B., No. 10

J. C. PEEBLES,
Chief Clerk.

Mr. Chaplin moved the following resolution:

RESOLUTION.

Resolved, That the thanks of this house are hereby tendered to the resident clergymen of Salem for their attendance upon this house at the opening of its sessions.

The resolution was unanimously adopted.

Mr. Otay offered the following resolution:

RESOLUTION.

Resolved, That the thanks of the house of representatives be, and they are hereby tendered to Hon. I. R. Moores, for the able and impartial manner he has presided over its deliberations; and also to the chief clerk and other officers of the house for the efficient and faithful manner in which they have discharged their respective duties during the present session

The resolution was unanimously adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that he has signed S. B.'s, Nos. 34, 12, 26, 18, 20, 16 and 22.

J. C. PEEBLES,
Chief Clerk.

Mr. Warner submitted the following report:

REPORT.

MR. SPEAKER—The joint committee on enrolled bills have examined S. B.'s Nos 18, 26, 22, 28, 33, 14, 15, 13, 3, 17, 27 and 10, and report them correctly enrolled

ARTHUR WARNER,
Chairman.

Mr Lane submitted the following resolution:

RESOLUTION.

Resolved, That this house tender its warmest thanks to the Hon. Samuel E. May, secretary of state, for the able and efficient manner in which he has discharged the duties of his office in its intercourse with this body, and for that uniform kindness, amiability and spirit of accommodation which has characterized his conduct toward individual members of the same.

The resolution was unanimously adopted.

Mr. Hogue moved to reconsider the vote by which S. B., No. 27, was lost.

The motion was adopted and the vote was reconsidered.

The question being, Shall the bill pass? resulted as follows:

Yeas—Messrs. Bowlby, Callison, Cartwright, Chaplin, Cox,

Fisher, Glass, Gingles, Hogue, Holman, Lawson, McCornack, McCartney, Otey, Parker, Peirce, Powell, Quick, Shipley, Tate, Turner, Thornton, Underwood, Wakefield, Wasserman, Warner and Mr. Speaker—27.

Nays—Messrs. Beall, Fay, Gillette, Lane and Smith—5.

So the bill passed.

Mr. Cartwright, from the committee of conference on S. B., No. 11, submitted the following report:

REPORT.

MR. SPEAKER—Your committee of conference, appointed by the house to confer with a like committee on the part of the senate, report that they have performed the duty assigned them, and agreed with the senate committee to recommend the passage of the amendment as a substitute sent in to the senate for their action.

J. C. CARTWRIGHT,
Chairman Committee of House.

On motion,

The report was adopted.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER.

Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B.'s Nos. 14, 28 and 33, have been reported truly enrolled, and they are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that the senate has adopted the report of the committee of conference on S. B., No. 10:

J. C. PEEBLES,

Chief Clerk.

Mr. Speaker announced that he had signed S. B.'s, Nos. 14, 28 and 33.

The following message was received from the senate:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B., No. 15, has been reported truly enrolled, and the same is herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker announced that he had signed S. B., No. 15.
The following message was received from the governor :

MESSAGE FROM THE GOVERNOR

STATE OF OREGON,
EXECUTIVE DEPARTMENT, SALEM, Dec 19, 1865. }

Gentlemen of the House of Representatives:

I have approved and signed the following bills, to-wit:

H. B., No. 28, an act to amend an act entitled an act to establish mining claims, etc ;

H. B., No. 31, an act to protect fair grounds ;

H. B., No. 41, an act in relation to bounties of volunteers ;

H. B., No. 21, an act to amend an act entitled an act to provide a code of criminal jurisprudence and to define crimes ;

H. B., No. 47, an act to provide for the loaning of the common school funds ;

H. B., No. 17, an act to amend an act to regulate the treasury department ;

H. B., No. 19, an act to regulate roads and highways ;

H. B., No. 30, an act to amend an act relating to common schools, approved October 17, 1862 ; and

H. B., No. 25, to authorize the erection of mill dams and for the support and regulation of mills.

ADDISON C. GIBBS,
Governor of Oregon.

Mr. Speaker announced that he had signed S. B.'s, Nos. 13, 17 and 27.

The following message was received from the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec 19, 1865. }

MR. SPEAKER—I am directed by the president to inform you that S. B.'s, 17, 13 and 27 have been reported truly enrolled, and are herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that S. B., No. 10, has been reported truly enrolled, and the same is herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that S. B., No. 3, has been reported correctly enrolled, and is herewith transmitted for your signature.

J. C. PEEBLES,
Chief Clerk.

Mr. Speaker announced that he had signed S. B., No. 3.
The following message was received from the senate :

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 19, 1865. }

MR. SPEAKER—I am directed to inform you that the president has signed S. B.'s, Nos. 17, 13, 27, 10 and 3.

J. C. PEEBLES,
Chief Clerk.

Messrs. Gillette, Warner and Hogue were appointed a committee to wait on the governor and inform him that the house had completed its business and was now ready to adjourn *sine die*.

The committee reported that they had waited on the governor in accordance with their instructions.

On motion of Mr. Gillette,
The house adjourned *sine die*.

I hereby certify that the foregoing is a correct record of the proceedings of the house of representatives of the third legislative assembly of the state of Oregon at their special session, began at Salem, in the state of Oregon, on Tuesday the 5th day of December, 1865.

J. C. COLLINS,
Chief Clerk.

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THE UNITED STATES OF AMERICA

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